



THREE YEARS'
RESIDENCE IN CANADA,

FROM

1837 to 1839.

WITH NOTES OF A WINTER VOYAGE TO NEW YORK, AND
JOURNEY THENCE TO THE BRITISH POSSESSIONS:

TO WHICH IS ADDED,

A REVIEW OF THE CONDITION
OF THE
CANADIAN PEOPLE.

BY

T. R. PRESTON,

LATE OF THE GOVERNMENT SERVICE AT TORONTO.

IN TWO VOLUMES.

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THREE YEARS' RESIDENCE IN CANADA, (1837—39.)

CHAPTER I.

General Description of Upper Canada.—Original Colonists.—Anecdote of Scotch Settlers.—Depressing effect of Natural Scenery.—Lake of the Thousand Islands.—Falls of Niagara.—Population.—Toronto.—State of Parties and Society.—False pretensions of certain Classes.—Neglect of Natural Occupations.—Prevalence of undue Influences.—Provincial Lawyers and Sheriffs.—Mr. ex-Attorney-general Hagerman.—General Reflexions.

THE general configuration of Upper Canada, as also its general aspect and characteristics, are very easy both of definition and right appreciation.

The country exhibits almost one continuous flat, unrelieved even by such few prominences

as distinguish Lower Canada; so much so, that you may travel in it hundreds of miles in every direction without encountering any thing at all assimilating to a mountain, or even to a moderate-sized hill; though, in various parts, there is no want of the pleasing variety induced by slightly-undulating ground.

Upper Canada is admirably watered in all its parts; hence presenting every facility, if its great natural advantages be turned to a proper account, for promoting, to an unlimited extent, internal trade and social intercourse.

The most fertile and best cultivated parts of the province are—the Niagara district on the southern frontier; sections of the vast tract of country which, encompassed on three sides by the waters of the lakes Ontario, Erie, St. Clair, Huron (and its branches), forms a complete peninsula; and to the eastward, the country about the bay of Quinté, with the district of Prince Edward.

Though the Niagara district, in common with

the rest, raises corn in abundance, it is, more essentially than any other, the orchard as well as nursery-ground of much of the neighbouring parts of the province; and in particular, a very large quantity of the fruit and vegetables consumed annually in Toronto, is derived from thence.

But fruit, and indeed provisions of every kind, in great abundance, find their way into Upper Canada from the United States, and are generally of a very good quality.

With the exception of parts of the Niagara and Gore districts, in the vicinity of the Falls and of Brantford, for instance, there are few or no sections of the country that exhibit any thing like an approach to the domestic kind of natural scenery which is so dear to English eyes, and appeals so strongly to English feelings, let it be seen where it may. In the first-named district, that rude disfigurement to all Canadian, and indeed to most North American scenery, the zig-zag wooden fence, is encoun-

tered less frequently than usual; while here and there, such fence has been superseded by the neater and more civilized quick-set hedge, introduced by English settlers.

Elsewhere, (save and excepting a few rural spots on the line of the Ottawa). all is vast, solitary grandeur, in the contemplation of which the mind becomes insensibly depressed, at the consciousness of its inability to compass the imposing magnitude of surrounding objects.

I have heard many persons, not natives of the country, make this observation; and for myself, I can bear ready testimony to its truth, as applied not only to Canada, but generally to such parts of the North American continent as I have visited.

If you traverse its vast lakes, if you penetrate its deep pine-forests, if you cross its wide-extending plains, nay, if you wander by the way-side in the outskirts of its towns, you are alike struck with a sense of surpassing loneliness, with a sort of melancholy, at finding your-

self an isolated unit, as it were, in the midst of a space so large ; knowing, as you do, in the one case, that you *are not* upon the ocean, and in the other, that you are not treading upon a newly-discovered soil !

But, if the perception of magnitude not to be embraced, produces this effect upon you ; if, what your eye beholds, though exciting awe and admiration, yet appeals not to your sympathies or feelings ; you are nevertheless compensated, in some degree, for this negative enjoyment, by the lightness and elasticity of the surrounding atmosphere ; by the clear, blue, cloudless sky above you ; by the richly variegated foliage of the primeval forest trees ; and, above all, by a grateful sense of the perfect natural freedom, in which, for the time, you revel.

The absence of singing birds in most parts of the American continent has often been remarked upon by travellers as a great drawback to the enjoyment of the natural scenery ;

and certainly, the enlivening notes of such melodists would prove an advantageous exchange for the inharmonious concerts of the myriads of bull-frogs in Canada, whose croaking may be said to constitute the native music.

I once knew a Frenchman, who, desirous to learn the English language by self-tuition, *tout d'un coup* (to use his own expression), chose for his primer, above all books in the world, Sterne's "Tristram Shandy!" because, as he ingenuously observed, he wished, by identifying himself with the spirit of that peculiar work, to compass all that he was seeking to attain. But the difficulty lay in *so* identifying himself with the object of his study; and soon finding this to be the case, he abandoned the undertaking, by such means, in despair.

Thus it is, at least thus I, in common with many others, have ever found it, in the contemplation of almost all North American scenery: you cannot thoroughly identify yourself with, because you cannot compass it; and you

cannot compass it unless through the medium of your feelings, which, from its very vastness, it has an innate tendency to repel. Hence, you may gaze, wonder, and admire, but sympathize you cannot.

The only instance in which I remember having failed to acknowledge this influence, was whilst traversing at sunrise, one fine morning in summer, the Lake of the Thousand Islands, a wide expansion of the St. Lawrence, a few miles below Kingston; and I might then have fairly fancied myself transported into a fairy land, but for the steam-boat destroying the illusion.

The whole scene was surpassingly lovely. The water, undisturbed by a single ripple, save what the passage of the boat created, presented the appearance of a mass of molten metal; while surrounding you far and near in every direction, were islands, some of the most tiny kind, either scattered or in groups, and all densely covered, to the water's edge, with the richest imaginable foilage. As you advanced, all egress from the

labyrinth seemed closed against you ; when presently, an opening, before unobserved, would present itself, and, darting through it, you would find yourself in the midst of a fresh scene of similar beauty ; the whole series being continued for a space of eighteen or twenty miles, under every variety of shape, aspect, and calm repose ; and the reigning solitude alone disturbed by your intrusion, or the flight of some bird that you had been the means of scaring. The picture wanted nothing to complete it but the presence of an Indian, in his primitive garb, paddling a canoe ; and to have seen one wending his way, in such guise at such a moment, would have imparted a keen relish to the positive enjoyment felt.

The number of these islands never has been, and probably never can be, correctly ascertained ; though nominally a thousand, they are computed to be at least eighteen hundred, and may possibly be more. Their foundation is of rock, similar to that which forms the sub-stratum of a

great part of the adjacent mainland on the Canada side; and they have no doubt been formed, as have the Falls of Niagara, by the immense body of water above them seeking an outlet; being probably not much less ancient than the mighty cataract itself.

Since I last visited them, a notoriety has been given to these islands which they did not before possess, by the exploits of a man rejoicing in the appellation of "Bill Johnson," a sort of American pirate-brigand, who, taking advantage of the troubled period succeeding the insurrection, selected them alternately as his place of resort, from whence to carry on marauding depredations along the Canadian shore: a system of harassing warfare which he was enabled to practice with impunity for a considerable length of time, owing to the secrecy of his movements, the fleetness of his skiff, and the supineness, or, what is perhaps nearer to the truth, the indifference of the American authorities; his exploits being eventually only put an end to by the perseverance of cruis-

ing parties from the British naval station at Kingston.

Nor were the thousand islands without their "Lady of the Lake," if the appellation may be given to the buccaneer's daughter, who sojourned with him, in his sylvan abode, and was said to be equally dexterous with himself in the management of his unrivalled skiff, which was represented to be so light and portable as to admit of ready transportation from place to place. A sort of romance was thrown around these two personages of the 'Canadian drama;' and a belief in half the reports that were current of their marvellous proceedings, involving almost the power of ubiquity and prescience, would trench very closely upon a belief in the supernatural. They were at one time almost objects of idolatry among the Canada-liberating population of the American frontier, and were received wheresoever they went with corresponding honour: but their star is no longer in the ascendant; like other once popular characters, they

have had their day, and are now seldom heard of.

The scene of their adventures, with the adventures themselves, would furnish ample material to the dramatist or romance-writer disposed and able to turn them to account ; and it is only surprising in these days of trans-atlantic steaming, that a theme so fertile should have been lost sight of by the caterers to the amusement of that very numerous branch of John Bull's family, the lovers of the marvellous.

Only imagine, for instance, the charm attaching to some such a romantic title as "*The Lake of the Thousand Islands, or the Buccaneer's Daughter !*" It would be perfectly irresistible ; and, on the doctrine that *thousands* produce *thousands*, must be highly profitable.

But a work of nature's hand, immeasurably surpassing in its marvels the enchanting Lake of the Thousand Islands, and baffling alike adequate description or correct analysis of feeling, in regard to the impression it creates, yet remains

to be spoken of. Need I say, that I allude to the mighty cataract of Niagara; or, as it is termed, *par excellence*, "The Falls?"

It is far from my intention to attempt the delineation of an object which pens, far more able and practised than my own, have, at best, imperfectly succeeded in portraying; but it would evince such signal disrespect to the monarch of cataracts, and, moreover, constitute so marked a defect in a work having Canada for its theme, not to make incidental mention of such most striking feature of the country's aspect, that I feel it incumbent on me to say *something* on the matter.

I have twice visited the Falls, and, like most other persons who have expressed an opinion on the subject, have found them to improve very much upon acquaintance, cultivated through the medium of close solitary *studying*, if I may use such term in the sense in which I wish it to be understood. But I am unable to comprehend how, as is frequently averred, anything like *dis-*

appointment can be felt, even by the most superficial observer, at a first view of them. The wildest revellings of the imagination could by no possibility conjure up any object serving in the least degree as a standard of comparison whereby they might be measured, and, therefore, their reality surpassing, as in effect it does, all possible conception, one is positively debarred the right to contrast present enjoyment with past anticipation.

Were persons who complain of the Falls not realizing their expectations, required to answer the interrogation, *What* did you expect to see? by a minute description of the object they had mentally created, they would be sadly bewildered for an answer, and this is the only effectual means by which their inconsistency could be made apparent to themselves.

The way in which I found that I could best comprehend the magnitude and character of the stupendous cataract, was by lying flat upon the ground in its near vicinity, mentally dissecting

it as it were whilst so recumbent, and then forming combinations of the particles *ad infinitum*. I know not if this suggestion be, or not, a novel one; but in my own case, its adoption was the result of accident, as I found that, when close upon them, I could not regard the Falls for many minutes together in an erect posture, without succumbing to an attracting influence, which I can compare only to the fascination exercised by the loadstone or the eye of the rattle-snake. I, therefore, adopted the alternative of prostrating myself (which answered the two-fold purpose of reverence and convenience), and was in such wise enabled to contemplate, for hours together, without apprehension for my personal safety, the stupendous monument of ages that stood reared before me.

Another means of arriving at a right appreciation of the magnitude of the Falls, is to perch yourself on the summit of the tower which stands upon a ledge of rock just below Goat Island, and to look down from thence, not upon

the Falls, but upon the *centre* of the rapids, and then following with your eye the maddened waters, as they converge, seemingly grasped by the out-stretched fingers (gathering from all points) of a concealed giant's hand, towards the middle of the Chûte, trace them until they are finally precipitated into the troubled vortex below.

All immediately above, as also immediately beneath the sheet of water projected over, appears to be hurry, turmoil, wrath, and wild confusion; in the midst of which the propelled body, as if tacitly chiding the struggling waters in its rear for the display of so much petulant impatience, assumes to itself a calm placid dignity and business-like air, implying that there exists *no necessity for haste*, and drops, by means of its dense cubic weight, in close compact solidity to the bottom.

It appeared to me that in thus contemplating the Falls, there are many valuable moral lessons to be learned; not the least prominent of

which, are arrangement, design, and the preservation of order in the midst of seeming confusion.

As regards the realization of grand scenic effect, in the appearance of the Falls, I fully concur in the opinion I have seen expressed, that the best means of inducing it consist in crossing the river at the ferry, to within about one-fourth of the distance from the American shore, and in so directing your gaze from such point of view (never heeding the tossing, nor the saturation consequent on remaining in such a position), as to take in the American and British Falls *together*, Goat Island, which lies between them, being entirely shut in by the oblique line of vision.

The imaginary fabric you thus raise, is the complete side and the half-elliptic end of an immense chrystalline hall; and you have only to people it with corresponding genii, supposed to be dimly visible through the mist, effectually to complete the delusion.

On the occasion of my first visit to the Falls, which chanced to be just after the opening of the navigation, they still retained some portion of their wintry dress. On the second, on the contrary, their environing adornments were green trees and foliage; but it is to my mind doubtful even now, if these, after all, were so much in unison with the peculiar character of the main object, as the previous accumulated snow and clustering icicles.

The mingled feeling of awe, wonder, and admiration, which one experiences at sight of the Falls, how often soever they may be visited, is speedily succeeded (at least I, in common with many others, have found it so), by a wish to be alone with them, in order to ponder over, without the fear of interruption, their varied claims to attention, as well as to revel in the peculiar train of meditation which they have a tendency to awaken.

A sad accident had happened at the Falls just before my arrival there last summer, i.

avalanche of rocks from Goat Island having crushed to death an American gentleman (a Dr. Hungerford, if I remember rightly), who chanced, unfortunately, to be beneath them.

The guide informed me with a dolorous accent, that this occurrence had also operated prejudicially to *his* interests, as people were deterred in consequence (and not unnaturally), from venturing as fearlessly as formerly, within the space of the Horse Shoe Fall, curtained by the sheet of water.

To facilitate the means of progress over the precarious slippery causeway of the narrow pass, he informed me that it was intended to affix to the wall of the rock, iron cramps, supporting a railing, whereby the visitor might hold on; and certainly, much praise should be the due of those whose ingenuity and daring might succeed in perfecting such a peculiar piece of smithery.

It is only surprising that a greater number of accidents does not happen at the Falls beyond

such as actually take place, since the rocks on every side are gradually detaching themselves from their old positions, while the famed Table rock itself, judging by the wide fissures it exhibits, appears about to follow the general example.

The *poetry* of the Cataract is unquestionably seriously impaired by the prose of every day life pervading its vicinity; but how much soever this innovation may be a cause for lamentation to the admirer of nature in her wildest solitude, it is at least conducive to his individual comfort and convenience.

But to revert to a former topic: there is this peculiarity about the air and temperature of Canada in general, that they are ill adapted, from their searching qualities, always of an extreme kind, to persons of sedentary habits and pursuits; and many, by indulging in such, during their residence in the country, have materially impaired their constitutions. On the other hand, for individuals of robust frame and *active bodily*

occupations, no region can be more salubrious, provided they take due precaution against the sudden variations of temperature by which they are frequently assailed. Hence the country is admirably adapted, as a place of residence, for that class of persons of which it stands most in need—agriculturists and labourers.

To show the necessity which exists for the exercise of unremitting caution in regard to clothing and habits of body, it need only be mentioned, that when the thermometer is at an extreme point, either of heat or cold,—say, in the first case, at ninety degrees, or upwards, and in the second, at twenty-five or thirty degrees below zero, it will *suddenly* vary to the extent of thirty, forty, or even fifty degrees;—remain at this variation for a few hours, and then revert, as suddenly, to the old point. These, it is true, must be considered as extreme cases, but they nevertheless occur, and must therefore be guarded against. In the Upper Province, such extremes as those first mentioned seldom last above two or

three days together, but on the whole, the seasons there, though far more tempered, are much less regular than in the adjoining province. The winter in Upper Canada is also shorter, as well as less severe ; but in either province, spring and autumn, properly so called, and as understood in Europe, are scarcely perceptible. So rapid is the vegetation when the snow has fairly disappeared, which happens in Upper Canada about the middle, and in Lower Canada about the end of April, that you may almost persuade yourself into the belief that you *see* it springing from the earth, as you walk along.

The parts of Upper Canada which have been the longest settled, are the Niagara and Prince Edward districts, with the country comprised within the limits of the Bay of Quinté, an indenture of Lake Ontario, a few miles above Kingston, and the country in the rear of Cornwall, extending to the confines of Lower Canada. The original population of the first-named district consisted of settlers from the New England

states, of whose descendants, constantly reinforced by fresh American immigrants, the majority of the present population is composed. The original population of the latter districts consisted, in like manner, of settlers from the state of New York, but chiefly of Dutch origin; and of their descendants, though now fully amalgamated with British settlers, the present population is also mainly composed.

These early settlers in the infant colony were, for the most part, individuals termed U. E., or United Empire Loyalists, because of their preferring to continue their allegiance to the British crown, after the American war of independence, to becoming citizens of the new Republic. To compensate them for the sacrifices they made in abandoning their homes, the British Government awarded them grants of land proportioned to their claims or services, with the right of selecting those portions from any part of the crown lands remaining unappropriated. Armed with this privilege, they, of course, fixed upon

the most eligible locations, and hence their congregation in the particular districts I have mentioned.

Many, after establishing their title to the lands assigned to them, abstained from settling thereon, preferring to reserve them as future heir-looms, in the expectation that, as the province increased in population, so, also, would they increase in value. Many, on the other hand, to whom a life in the wilderness was repugnant, or who were needy persons, sold their land-rights, often for a very trifle, to speculators, whose representatives, with those of the non-settlers first-mentioned, now constitute some of the largest landholders in the province. There are, however, many claims of U. E. loyalists outstanding at the present day, and they are occasionally put in, in payment for the lots of land which are disposed of at government sales. But it is full time that a limit were assigned to this practice; and, in order to the effective working of any future systematic plan for the

disposal and settlement of waste lands, the speedy adoption of which (as I shall endeavour constantly to show), is of vital importance to the welfare of the province, a law should be passed for the *equitable commutation* of all such outstanding claims, if preferred within a certain period—say twelve months—and annulling them if not so preferred.

It is a curious coincidence, well worthy of remark, as conveying an instructive lesson, that throughout the disturbances which have agitated Upper Canada during the last few years, the descendants of the old refugee royalists have been precisely those who, taken as a body, have been the least zealous in the cause which it was the object of their forefathers to sustain: namely, the supremacy of British institutions wheresoever established on the North American continent; and those, also, among whom an unduly large proportion of disaffected persons has been found.

The class of the population *mainly* instrumen-

tal in preserving the colony to England, were, as the Earl of Durham has correctly stated, the men of British race, who became settlers in the country subsequently to the last American war. It is thus obvious, that in a constant stream of immigration from the British isles, lies the only real safeguard for retarding to a *suitable* period the dissolution of connexion, as now constituted, between Canada and England, which *must* eventually take place. In illustration of the first point, I would observe, that just as the European caloric of the British settler in Upper Canada slowly yields to the insidious influences of climate, unless invigorated by healthful bodily pursuits, so, also, must his imported attachment to British institutions insensibly become impaired by the anti-British influences going on in the small community around him, *unless* the social system, of which he forms a part, be fused, from time to time, with the renovating stream of warm-blooded British feeling, flowing into it from its native source; *until* such time as the country, being in a con-

dition to *stand alone*, all danger of amalgamation with the neighbouring Republic should have ceased. It is only surprising, considering the germs of democracy gradually introduced into the country by American settlers—the moral influence exercised by the powerful on the weak, dwelling in close contiguity—but, above all, the *want of a steady, progressive immigration*, that Upper Canada should be at the present hour a dependence of the British crown.

That the ratio of increase, up to 1825, of the two chief bodies politic, must have soon preponderated in favour of the democratic party, or, at least, have brought both parties to such a balance as must have placed the continuity of British connexion in serious jeopardy, is, in Canada, a very generally admitted fact; while it is equally acknowledged, that such contingency has been alone averted by the timely immigration (insignificant as in the aggregate it has been), which took place during, and for a few years subsequent to, 1825, and which sufficed to turn the beam the other way.

As regards the actual state of parties in Upper Canada, it is somewhat more difficult to speak with equal accuracy; but, on the point alone of preserving British connexion for an indefinite period, can the two great branches,—*viz.* the bulk respectively of the native Canadians and the modern British settlers,—of the anti-Republicans be said to be cordially united.

In parts of the Niagara, London, Home, and Midland districts, democratic tendencies, aiming at subversion, and not amendment, are estimated to be more rife than in the rest; but in all the districts indiscriminately, there must be said to prevail, more or less, an earnest desire to effect, by constitutional means, such changes in the administrative system as shall cause it to work more smoothly than heretofore.

The common danger with which the country has been, and still is, threatened, secures the alliance of the loyal members of the British immigrant class already mentioned, and of the native Canadian party. But even in the absence

of such common danger, no disruption between them need be apprehended, would the latter only tolerate the establishment of such a state of things as should place the former on a *perfect footing of equality* with them; and this, in fact, is all that has ever been demanded or contended for. The union of the provinces, if judiciously carried out, in conjunction with other fundamental measures, may be expected to exercise, in the respect just mentioned, a healing tendency, by destroying present monopoly of place and power, and thereby neutralizing those antipathies which the restraint of a present mutual dependence alone serves to keep in subjection for the general good.

To conclude this brief attempt to analyze the state of parties in Upper Canada, it remains only to observe, that the democratic ranks, though including men of all classes and spheres of life, are generally understood to consist, for the most part, of Americans, either by birth or by descent, who are domiciliated in the province, and who, from similarity of tendencies and de-

signs, may, with equal truth, be said as much to constitute the *foreign* population of the Upper province, as do the French Canadians the foreign population of the Lower.

In some places, the amalgamation of the old Dutch settlers with the later comers of British race, was apparently, not very readily effected, owing to the mutual antipathies which at first prevailed, and which, (as I was told by a gentleman long resident in the particular locality), an incidental occurrence, somewhat ludicrous in its origin, but likely to have proved serious in its effects, tended materially to keep alive.

He stated, that some years ago a body of young Scotch Highlanders, speaking nothing but Gaelic, came to settle in the neighbourhood, and being desirous to commemorate their arrival in the land of their adoption, resolved to indulge in a merry-making among themselves, which should terminate with a dance. As regarded, however, the success of the latter part of their arrangement, the majority of them being bachelors, the

want of female partners presented a serious difficulty, until it was suggested that they should solicit their neighbours, the Mynheers, to allow their wives and daughters to favour them with their company; a few of the male elders being also invited to give countenance to the proceeding.

Accordingly, the invitation was sent, and being accepted, the matrons and damsels came with their protectors at the appointed time, and were suitably entertained.

Now, whether it were that the Highlanders had been offering up too freely at the shrine of Bacchus, and were thence induced to transfer their worship to that of Venus, certain it is, according to the authority of my informant, that as the hour of separation drew nigh, they recoiled from the prospect of returning to their former state of loneliness, and positively refused to let the dancing nymphs depart.

To prove they were in earnest, they ejected from the building in which the entertainment was held the few Dutchmen who were present,

and shut themselves up in it with their fair enslavers ; thus re-enacting on Canadian soil the classic scene of old, wherein the Sabine women are represented to have played so conspicuous a part.

Such a flagrant violation of the laws of hospitality roused even the ire of the phlegmatic Dutchmen, who, hurrying to their settlement, speedily returned with a strong reinforcement of their countrymen, and did battle to the **H**ighlanders ; whom, far outnumbering, they finally compelled, after an obstinate conflict, to surrender up their unlawful prizes.

I did not learn in what way the ladies and their captors deported themselves towards each other during the brief period they remained together ; so that my readers are just as well able as I am to draw probable conclusions from the premises adduced. The courtship must at least have been strangely carried on, since neither party spoke or understood a word of the other's language.

I only further ascertained that the affair, as

was naturally to be expected, caused at the time a great commotion among the whole fraternity of Dutchmen, and was productive of some subsequent affrays.

Independent of those districts to which special allusion has been made in the foregoing observations, there are other parts of the country, which, though less highly favoured in point of natural advantages (being situated in a more northerly direction) are nevertheless well adapted for the purposes of progressive settlement and cultivation.

The country in the rear of Kingston and of Cobourg, forming part of the Midland and Newcastle districts, as also many places on the Ottawa, up to Bytown, (the rising little capital of the Ottawa district,) come more especially within this order of localities, and may be rendered available for the support of an unlimited population. It is true, that in the vicinity of the Rice Lake, the soil is of a marish nature; but this impediment is not so great but that it

may be readily overcome by means of draining and other processes.

As regards the population of Upper Canada, there is in it this striking feature, that, unlike the rival population along the opposite shore of the lakes and rivers forming the line of demarcation between the two countries, it possesses length without adequate depth. A single glance at the map will suffice to define my meaning: and, in further illustration of it, I can find no fitter simile for the population as it now is, than that of a long, straggling line of infantry, in some parts scarcely two deep, and exposed, consequently, to disruption at almost any point, without the power of closing up.

The deepest section is perhaps between Toronto and Penetanguishine,* which last is a mere military station, at the foot of a branch of Lake Huron, extending inland in a southerly

* An Indian compound word signifying "Look! it is running sand," from the quicksands which there abound.

direction. The whole distance does not exceed eighty miles, and the chain of populated parts is by no means continuous; many interstices yet remaining to be filled up.

Comparing this with the *deep square masses* on the whole of the American side of the lines, there will be found just cause for apprehension that those masses, whensoever put in hostile movement, as at any time they may be, must bear down, by sheer weight of pressure, the shallow frontage that would stand opposed to them, unless the same be strengthened.

According to a late annual return made to the Provincial Government, the total population of Upper Canada in 1839, amounted to 400,346 individuals, thus distributed over the thirteen districts into which the Province is divided :--

<i>Districts.</i>	<i>Population.</i>
Eastern	28,837
Ottawa	8,483
Johnstown	32,669
Bathurst	24,632

<i>Districts.</i>	<i>Population.</i>
Prince Edward	14,018
Newcastle	35,146
Midland	38,254
Home (including City of Toronto 12,153)	69,953
Niagara	29,953
Gore	51,000
Talbot	9,053
London	42,325
Western	16,023
Total..	400,346

Or, in round numbers, 400,000 inhabitants.

I do not possess any data shewing the proportion borne in the foregoing census, by males to females; but in Upper Canada, as in most newly-settled countries, the former are the preponderating number, although probably not to any great extent.

As shewn by Returns made by the chief agent for immigration, the number of immigrants from the United Kingdom who landed at Quebec in the seven years ending 1837, was 217,285; the annual average being thus 31,041. The

maximum was 51,746, in 1832, and the minimum 12,527, in 1835.

It is impossible to hazard a conjecture as to what number of these immigrants remained either in Upper or Lower Canada, no records of their final destination being kept; but at all events allowance must be made for a portion of them being merely on their way to the Western States of the Republic.

The amount of immigration in the years 1838 and 1839 was trifling in the extreme; and, according to all accounts, was far exceeded by the deficit caused in the standing population, by re-emigration and expatriation, the natural consequences of the troubles which prevailed.

But it is time to say something of the seat of Government of Upper Canada, at which place I resided from about the close of the summer of 1838 till the beginning of December last.

Toronto, though exhibiting little to bear out its pretensions either as a city or a capital, and still less to justify the metropolitan airs which

the *élite* of its denizens assume, is a place bearing (unlike Kingston) the appearance of having been much improved within these last few years; but it as yet possesses only one good street, which runs east and west, and this is in some parts advantageously set off with an array of well-filled shops and stores.

At the western extremity of such street, on opposite sides of the road, stand a sort of overgrown party-coloured* cottage, dignified by the name of "Government-house," and a neat assemblage of red brick buildings, comprising the school-house and private dwellings, appertaining to "Upper Canada College," of whose history I shall hereafter speak. Between the Government-house and the bay an unseemly mass of brickwork, encasing the legislative chambers and various of the public offices, rears its head; while, a mile beyond this again, is an ill-constructed stockade-sort of fort, with an inconspicuous barrack within its circuit.

* One-half is painted yellow, and the other white.

Eastward, Toronto's chief edifices are, a church, a bank, a town-hall, (having behind it a market-place,) and, lastly, a sessions-house and gaol, besides a second prison-house in progress of construction, to signify the moral improvement of the people.

This end of the town is much eschewed as vulgar, by the high order of patricians, whose abodes, consisting in many cases of good-sized, substantial, though isolated houses, are for the most part situated in the three opposite directions. Of these, the Yonge Street Road, running north, is decidedly the most eligible locality; and, a few miles out, it exhibits some very pretty scenery.

Nevertheless, the *city* of Toronto will not bear mentioning in the same breath with either of the American *towns* Rochester or Buffalo, (both, I believe, of later origin), though I am aware that in making this assertion I incur the risk of being thought tasteless, not to say a rebel in disguise, by the majority of those amongst whom I have been so lately dwelling;

since they would consider as derogating from their city's dignity the mere institution of any such comparison.

Speaking generally, however, of contrasts between Canadian and American objects indicative of relative progressive improvement, I lament to add my humble testimony to that of many other visitors to both countries, that the comparison is immeasurably in favour of the States; and the fact is rendered strikingly apparent to the unbiassed observer, not simply by his passing through the States *on his way* to Canada, but by his residing in the latter country for a lengthened period, then traversing the neighbouring States, and afterwards returning to the British territory.

The effect of such transition cannot perhaps be better illustrated than by supposing that you have plunged unconsciously from a stagnant pond into a vivifying stream, and tumbled from the latter back again into a miry slough.

Let not, however, the fundamental cause of

this humiliating contrast be misunderstood, by ascribing it to a difference of political institutions; but rather let it be traced to its chief originating source, the virtual exclusion of capital and labour from the country, owing to the injudicious alienation of their primary aliment—land.

At Toronto, the example of a knot of high-salaried officials induces a style of living far in advance, even on their part, of present means of sustaining it; and hence very frequently occasions serious pecuniary inconvenience to various classes of individuals; the originators of the mischief being, however, equally *insouciant* as to their own embarrassments in this respect,—since, practically, they are attended with a virtual impunity,—or to those of others that may be occasioned by them.

For such reasons, and because of the invidious distinctions as well as inequalities which the practice mentioned has a tendency to create, Toronto itself cannot be considered an eligible

place of residence for that class of immigrants who may be desirous to economize their means; while the manifestation of such desire virtually excludes them from the round of social intercourse (such as it is) on which they may have relied.

It is not, perhaps, hazarding too much to say, that a person or family with moderate means might make them go further even in expensive London than in Toronto; and, at any rate, assuming the positive outlay to be equal, the comparative expenditure would be at least five hundred per cent. against Toronto, if the *quality* of the comfort and enjoyment purchased were taken into the estimate.

In the latter place there is very little beyond mere articles of consumption (and these not always) that can be considered cheap; house-rent, furniture, servants' wages, fuel, and the like, being the exact converse; or, to speak more correctly, surpassing all legitimate proportion in the general scale of domestic expendi-

ture, particularly if considered with reference to the place of domicile.

For residents not remaining sufficiently long to care about encumbering themselves with the cares and anxieties of housekeeping, of the expensive nature of that in question, the means of local accommodation are even more scanty than in other towns of the province. Private apartments are very difficult to be procured, and such boarding-houses as exist are of a very inferior order; while there are but two hotels to which persons of respectability could resort, and from their generally crowded state, they are at best comfortless places to reside in beyond a few days together.

These, as is indeed the case with all hotels throughout Canada, are conducted on the American fashion of public rooms and public tables; but the majority of them are very inferior in most respects to similar establishments in the United States; and, *as compared with such*, are dirty, incommodious, and unsystematic

in the economy of their internal arrangements.

The most notable exceptions to this category, are one or two of the chief hotels at Quebec and Montreal, and Macdonald's North American hotel at Kingston. At this last I resided some months, and can conscientiously recommend it as one of the most comfortable and best conducted in the whole country.

I must not forget to mention that a club has been established in Toronto, in a tolerably commodious building hired for the purpose; but, being somewhat in advance of the times, it is very inadequately supported, and has, I believe, great difficulty in keeping on its legs. It is, however, after all, very little better than a mere hotel and eating-house, its means of supplying mental aliment to its frequenters being limited to a few provincial and American papers, with a New York reprint of one or two of the British periodicals.

Regarded in a military point of view, Toronto

seems a very unfit selection as the locality of the seat of government ; inasmuch as it is not only naturally defenceless, but incapable of being put into a state of effectual defence, owing to its situation on a level space rendering it easily approachable on every side should an enemy chance to have the command c. the lakes. Such being the case during the last American war, the place was easily taken by the Americans, and a great part of it destroyed. With reference to mere strength of position, Kingston, though in other respects objectionable, would have been a far more eligible site than Toronto as the headquarters of the local executive.

The question of transferring the seat of government to some other part of the province has frequently been agitated, but conflicting local interests have always obtained too strongly to allow of any change being effected ; and, at the present period, the measure of the legislative union effectually supersedes the necessity of any further discussion on the subject.

Both Hamilton and Bytown, as well as Kingston, have put forth their claims to be made the place of selection; but the first, a rising, pleasant little town at the head of Lake Ontario, would have been as objectionable on the score of its close proximity to the Niagara frontier, as would the second on account of its inappropriateness as a central position; though in most other respects, either perhaps would have been preferable to Toronto.

It may be emphatically said of the *natives* of Upper Canada, that, taken as a body, they have as yet no exclusive character; but exhibit in their speech, habits, manners, and demeanour, a strange admixture of the leading features of English aristocratic feeling with democratic sensibilities.

They are, in fact, though insensibly to themselves, the recipients of two opposite impressions, which leave their respective marks; but while extremely indignant at being thought to exhibit any ambiguity in this respect, they are not sufficiently careful of their own culture to induce

such a decided preponderance of specific tone in their moral organization as should rescue them from a neutral position.

Out of such materials, a distinctive feature, serving to characterize them as a people, remains to be formed; and according to the means employed to mould it, so would it eventually assume a pleasing or repulsive shape.

Among that class of the community termed by courtesy the gentry, there is creeping up a false state of things, which, unless it soon find a corrective, is calculated to retard very materially—if, indeed, it has not already retarded,—the prosperity of the province, and consequently of its young society.

I allude to the disinclination evinced by far too large a portion of the Canadian youth of the class designated, to engage in those pursuits which the primitive condition of the country they inhabit, no less than their own well-being, imperatively requires that they should follow. In lieu of devoting themselves to agricultural and commercial occupations, they blindly seek, in an

undue ratio, to qualify themselves for those of a professional nature; because, from the fallacious notions in which they have been reared, they conceive, or affect to consider, the two first to be beneath them.

Hence,—to adduce a striking illustration of the evil,—a host of young men, who might be advantageously employed in aiding to develop the natural resources of the country. either remain in idleness, or are annually let loose upon society as half-fledged, needy lawyers, the majority of them being driven to prey, owing to the disproportion of their aggregate number to the general want, upon the very vitals of the people for the means of a bare subsistence.

Another mischief arising from this pernicious practice, is that many of the young aspirants in question, being disappointed in their expectations, and possessing interest in influential quarters, become applicants for office in the public service, and are promoted to vacancies in district appointments, perchance, to the exclusion of persons more entitled to fill them, or else wait the

chance of some new post being created, for which they may compete.

At the head of the practical part of the legal profession in Upper Canada, nominally stands Mr. Christopher A. Hagerman, a gentleman respecting the solidity of whose acquirements as a lawyer a high legal authority* in England has publicly expressed himself in any thing but flattering terms, and in regard to whose characteristic manners and demeanour, an accomplished authoress† of the day has recorded a no less unfavourable opinion.

This gentleman, long avowedly obnoxious to a great part of the community as attorney-general, has lately, it appears, vacated that lucrative post for a less profitable judgeship: a promotion, which, however, it may contribute to his personal ease, can scarcely be considered to compensate him for the loss of political importance it occasions.

* Lord Brougham, in a speech in the House of Lords in 1839.

† Mrs. Jameson, in her work, "Winter Studies, &c. in Canada."

He has been succeeded, it should seem, in his former office by Mr. Draper, lately solicitor-general, a gentleman of more liberal, yet equally conservative (as regards British connection) principles, whose nomination must be well calculated to give satisfaction to the loyal British immigrant class, of which he is a leading representative.

I must be distinctly understood as speaking of both these gentlemen (as, indeed, of any other prominent functionaries whom I may chance to mention), *exclusively* in their public characters, which, being identified with the affairs of the province, are, with these, open to free discussion by all who, like myself, may be seeking the illustration of the latter.

To protect the native legal talent, a law was passed by the Provincial Legislature, at the alleged instigation of interested parties, providing that no English *attorney* (that part of the profession being in Upper Canada the most lucrative one) should practice in the province as such, until after the expiration of a five years'

noviciate with a local lawyer : in other words, that he should go through his apprenticeship *de novo*. This might have been very well, and very proper, as tending to exclude mediocre or slippery practitioners ; but it was known to be levelled at those who might be altogether unexceptionable, being passed at a time when an extensive immigration from the British isles was taking place. The law in question has always created a very strong feeling among the great body of British settlers ; and ought (if still unrepealed), no longer to be allowed to disgrace the provincial statute book. Fair competition would have been the greatest safeguard to the community in a matter of this nature ; the different competitors, whether British or Canadian, being left to find their own level.

Could the party whose influence carried out this measure, have followed to a greater extent their exclusive notions, in respect of the employment of British talent, they might possibly have enacted, that no man whose *capital* was *merely*

of a *mental* kind; who, possessing European knowledge and experience, desired to turn them to account in a new country requiring their use, should be *allowed* to settle in Upper Canada; such permission being restricted to those who should come with the means to buy, and the bodily strength to cultivate, the vast extent of wild lands, which, by a strange profusion and improvidence, had been suffered to become private property.

Such is the spirit which has animated, for years past, and which still animates, the bulk of that portion of the population of Upper Canada who are descended from the earlier settlers, or, in other words, who are native Canadians.

It is, perhaps, the widely-extended existence of this intolerant exclusive spirit, rather than its actual palpability beyond a certain limit, which must be considered as constituting the *theory* of what the Earl of Durham, with many others, has not unaptly embodied under the designation of the "family compact." Neverthe-

less, such spirit practically resolves itself, and seeks its perpetuation in a nucleus of officialism, which centres at Toronto, and of which the ramifications, extending throughout the province, are, for the most part, cemented by the ties of intricate combinations of relationship.

For instance, A., B., and C., hold respectively at Toronto high official stations. Each is connected with the other by consanguinity of various degrees, and each has a relative holding a district appointment, such as a magisterial office, a collectorship of customs, a clerkship of the peace, &c., who, again, are similarly connected with each other, and have their own adherents, who, also, are in the enjoyment of smaller benefices elsewhere; so that an interminable chain of mutual interests and dependencies is thus kept closely interwoven.

All this might be very natural, and also very harmless in the early social condition of the colony, when intellectual capacity was in trifling request; but when, through the progress

of population, stimulated by immigration, the country began to grow into something like shape, the case became very different, and the general interest, no less than the general want, imperatively demanded that close monopoly of place and patronage should give way to open competition, and stationary to progressive habits.

But a desire to render heir-looms to their own posterity, objects that, being common property, were not susceptible of such transmission, combined with a consciousness that undue acquisitions, in the shape, more particularly, of waste lands, had been made under the old *régime*, has hitherto induced a dogged resistance, by those who would have been greater gainers by the exercise of a little foresight, to such changes being gradually carried out, as were compatible with the temporary circumstances and condition of a country essentially requiring to be brought forward.

Had such timely concessions to popular expediency been made, we may be assured there would

have been left but a narrow field of operations for such demagogues as Mackenzie and his immediate partisans, since in this case they would have possessed no ready *domestic* handle wherewith to turn the machine of political agitation.

In a word, from the combined effects of long impunity and distorted views, the very circumstances which should have insured the admission of the general elements of renovation appealing at the portal of improvement, have been precisely those which have been heretofore permitted in a general sense, to operate to their exclusion.

The beneficial result of throwing wide such portal, must have been the gradual infusion of health and vigour into the social system of the country, by the steady influx into it, as candidates to labour in the public service, of a class of men fresh with the varied experience of European life; but the majority of the standing order of officials, apprehending the consequences to themselves of an issue, rendering competence the standard of election, have hitherto success-

fully combined to keep things stationary, and have shewn themselves opposed to all progressive changes save those which should dovetail precisely with their momentary interests.

Numerous examples of the baneful system of party nepotism, that has practically prevailed from an early down to a very recent period, might readily be adduced, but the following illustration will suffice.

When a certain office connected with one of the Government branches last became vacant,* a prominent public functionary who enjoys the unenviable privilege of being thought one of the animating spirits of the so called "family compact," claimed the appointment on behalf of the son of the late occupant, an inexperienced youth, who had scarcely attained his majority, thus seeking to render the office in effect hereditary.

This monstrous requisition was met by the rejection which it merited; but the refusal was virtually qualified by an offer to nominate to the

* In the summer of 1838.

vacant post a near relative (who chanced at that moment to require providing for) of another reputed leader of the aforesaid compact; and this arrangement having met the *sanction* of the exacting party, the appointment was made.

Now, how qualified soever might have been the individual selected (a point that does not constitute the one at issue), it is manifest that in this case all fair and open competition was precluded, and that the *main* ground of the preferment was not that on which it should have rested.

The feeling of *hereditary* right to office is in general very strong on the part of the native Canadians, who deeply resent any invasion of the privilege they claim and endeavour to assert on all occasions, particularly if the *intruder*, as he is termed, be a mere British *settler*.

Such feeling was very strikingly exhibited on the occasion of the appointment of the present provincial secretary, a talented, experienced individual, who, educated at an English university,

and avowedly qualified above all his competitors for the duties of the office, had been selected from the ranks of the British immigrant class. His nomination was viewed by the whole body of exclusives as a dangerous innovation on all established rule, and the greatest sympathy was excited amongst them for his chief opponent, the son of a former occupant of the disputed post; such individual himself strongly entertaining the notion that the most flagrant injustice had been practised towards him.

Though, as a general principle, it must be conceded that no person who is not either a native or a *settled* inhabitant of the province should be selected for public employment, the rule is one which admits of many exceptions in a young country, whose purely native talent adapted to the public service requires incessantly to be fused from extraneous sources, in order to preserve a healthful system, and on whose Government, moreover, it is essentially

incumbent to bring to its own support all the *variety of talent* it may be able to command.

Assuredly, in such a country, that state of things imperatively demands revision which extorts, as it very recently extorted from a high local authority, the avowal that "*no new comer* has a prospect of employment in the civil service in Upper Canada, because the claims of applicants are so much discussed as to render the filling up a vacancy a sort of political peril to the officer administering the Government !"

Fair competition is all that can be, or ought to be, consistently demanded ; but this in Upper Canada being virtually prohibited, the public interests suffer in proportion, and endless heart-burnings are created.

The general matter of complaint is not, after all, so much that the number of public offices in Upper Canada is too great, as that sufficient attention has not been invariably paid to the qualifications of the individuals selected to fill them ;

and that, in regard to the higher appointments, the salaries are excessive, compared with the service rendered, and have (as it is elsewhere intimated) a pernicious tendency, as inducing a false style of living in a country where simplicity should prevail. Forasmuch, as the general machinery of government must be the same in a scanty, as in a large and redundant population, it follows that in Upper Canada, as in other new countries, the number of public employments is, and must be ostensibly, and for a time, far larger in proportion than in older and more densely populated states. Hence, in carrying out measures of reform in the public departments, care, obviously, should be taken to distinguish between the utility of an invidious office, and the efficiency as well as the remuneration of the party filling it; a distinction which has not always been consistently adhered to by the advocates for improvement in the administration of the public service of Upper Canada.

The slatternly, dilatory manner in which by

general assent, far too much of the business of the public departments is conducted, owing to their very unsystematic internal arrangements, the indifference (arising from their virtual irresponsibility) of the different functionaries, together with the want of an efficient check system, and general supervision over matters of detail, by a central controlling power, has long been obvious to all impartial persons in the province, and a notorious cause of popular dissatisfaction.

In the course of last year, the House of Assembly requested, by address, that some *fit and disinterested* person or persons should be employed to institute such a rigid scrutiny into the nature of the business, the mode of conduct, and the system of organization, of every public department in the province, as should lead to the forming of a report on the state thereof, with a view to the introduction of those beneficial changes in respect of each, that might seem to be expedient.

Accordingly, a commission was issued, ap-

pointing certain individuals, classed in sectional committees, to perform the required duty; but the parties thus nominated were very far from answering in their qualifications to the requisition of the Assembly, being chiefly official functionaries, or gentlemen said to possess little or no practical knowledge of business avocations.

The popularity of the executive was much impaired by the seeming error of judgment evinced in this selection; and the commission itself, after running (as such,) the gauntlet of public derision, became at last a standing joke.

What its labours have resulted in, I have no present means of knowing; but, at any rate, the want of general confidence evinced in them prospectively, augured little for their practical utility.

Whilst treating on the subject of public employments in Upper Canada, I may observe, that there is perhaps no class of appointments in respect of the nominations to which, greater

caution is considered, requisite than the provincial shrievalties.

In former times, very little attention appears to have been paid to the qualifications of the parties selected to fill these offices, notwithstanding the peculiarity of the duties attaching to them, which partake of far greater diversity and minuteness than similar offices in England; but though involving an equal degree of responsibility and trust, are not practically under the same controlling influence of public opinion.

The absence of a law requiring the sheriffs to lodge in deposit, at a public department or a bank, until claimed, the monies of which they are the recipients on behalf of suitors, combined with the general lax and careless mode in which, as already mentioned, the public business in Upper Canada is generally conducted, leads very often to the institution of suits against the sheriff for the recovery of that which he has himself been levying. I have been assured by

a gentleman, on whose veracity I can implicitly rely, that once on board a Canadian steam-boat he actually saw a sheriff placed under personal restraint, in virtue of a writ resulting from a litigation of this nature. This, however, must be considered an extreme case; but the possibility of such occurrences ought surely to be guarded against.

As a further illustration of the want of sufficient safeguards to the community, in matters of this nature, the following incident may be narrated:—

A lawyer accused a sheriff of unjustly detaining a sum of money which he was bound to pay over to him on account of a client. The sheriff retorted by urging in his justification an alleged liability of the lawyer towards himself, on account of some private transactions between them, identified in some way or another with the official matter. The result of this mutual recrimination, as affecting the poor client, I did not hear; but the amusing part of the story was,

that not a thought of the hardship of the case to him, seemed to be entertained by either of the contending parties.

I must be understood as speaking of these things, not as evidences of any want of personal integrity, or premeditated neglect of duty, on the part of the individuals concerned, but as consequences of a *faulty system*, imperatively requiring to be revised; and they are of sufficient notoriety in the province to justify their exhibition here. Among the provincial sheriffs of the present day are many high-minded, honourable individuals, whose character alone insures a guarantee to the community, and who, while equally deploring with other members of the community the imperfections of the existing law for regulating the sheriffs' duties, would gladly see such law revised for the credit of their order.

Another class of public officers, whose efficiency or impartiality is very frequently impugned, are the local magistrates and the commissioners of the courts of request.

The want of sufficient technical knowledge is the chief complaint against the former, and it is sometimes productive of serious inconvenience, as the following incident will show :

A full bench of magistrates on the western frontier, gravely subjected to examination, and sentenced to imprisonment, an American citizen for having whilst in the United States, used *treasonable* language as regarded Canada, and uttered threats against Canadian subjects!

The American authorities, hearing of the transaction, imperatively demanded the man's release, on the ground of a violation of constitutional principles; and the impossibility of sustaining the course of proceeding taken, being now apparent, even to the perpetrators of the illegality, they were constrained to rescind their own proceedings, and to release the prisoner, at the expense of exhibiting themselves in a somewhat ludicrous character to the local community on either frontier.

The commissioners referred to, are chosen ge-

nerally from a lower grade of persons than the local magistracy, and are represented as being for the most part very illiterate men. Complaints of the harshness, illegality, and partiality, of *their* proceedings have ever been most numerous; and if half that is alleged of their conduct be correct, the sooner some different system of dealing with the small cases referred to their decision be adopted, the better.

The substitution, as by some suggested, of occasional circuit courts, presided by the judges of the several district courts, with summary powers of decision to a limited extent in some cases, and with liberty of appeal from their decisions to a jury in others, would seem a feasible plan for obviating the continuance of the courts of request as now constituted, and would, at any rate, according to all appearances, be favourably received by the community at large.

An intelligent, gentlemanly merchant of Lower Canada, with whom I was once travelling, expressed himself with much bitterness, but with

great truth, on the subject of the anomalous state of society in Upper Canada. He remarked, that far too many of the Upper Canadians were imbued with notions of relative distinctions that were wholly incompatible with the state of things around them; that they aimed at appearing as—what they were not, and could not be for years to come—independent gentlemen; neglecting their proper sphere of action, which was essentially mercantile and agricultural, and impairing, instead of improving, their means of wealth.

This class of persons is, indeed, more numerous than might be supposed in so small a community, and gentility, rather than utility, is with them the chief object of emulation.

The circumstance is much to be regretted, in whatsoever light it be regarded, and cannot but re-act prejudicially to the parties themselves.

In a country where the general standard of merit and of intellectual acquirement is so low as avowedly it is in Upper Canada, it might naturally be thought that there would exist

something like a *demand* for British talent as well as British capital and labour. But no such thing: the two latter elements alone are coveted; the former being virtually under a proscriptive ban.

But it cannot reasonably be expected, that unless the three be welcomed in conjunction,—all being alike needed in their due proportions, as a means of improving both the moral and the physical condition of the country,—those only which chance to be acceptable to a particular party monopolizing power, will be introduced to any considerable extent, whilst there remain open more eligible channels for their employment.

The mere privilege of *labouring* on the lands of others, in a remote colony, holds out no inducement to the English peasant to forsake his native country. In expatriating himself, he requires the stimulative prospect of becoming, within a reasonable period, a landholder himself. But from this just expectation he is, in a great measure, precluded in Canada, because of the

excessive price demanded for the object of his desire. He, therefore, transports himself to a more eligible colony, or else to the United States, where his industry is more suitably, as well as more speedily rewarded. By the latter movement, it is obvious that a two-fold injury is inflicted upon Canada; inasmuch as it is deprived of bodily labour, that it *might* have secured, and such bodily labour is transferred to a country whose hostility is to be apprehended.

In like manner, the British capitalist, being debarred in Upper Canada from a fair participation in the social advantages which his wealth has a tendency to create, invests that wealth elsewhere, and keeps aloof from a country where his means are welcome, but his presence is not, if he venture to assert his social privileges.

As regards the man whose staple article of traffic is of the purely mental kind, his ware is of too fine a temper for the Canadian market, *as now constituted*; and, if needs must, he had far

better allow it to become a little rusty at home, than expose it to the risk of being bruised or shivered in a land where the damage would neither be appreciated nor regretted. As things now are, there is no room for such as he; but his exclusion, by keeping down within a narrow sphere the ton of moral vigour, serves also commensurately to retard all physical amelioration as regards the country at large.

As Lord Durham has very justly observed, the country requires to be made attractive to immigrants of all classes; and until it be so, assuredly it cannot prosper, *since* immigration is the basis of its welfare.

It must, however, be borne in mind, that what is chiefly needed in Canada, and in Upper Canada more particularly, is not the transplantation thither of a complex fabric of society, the fac-simile of that which, from the force of circumstances, exists in England, but an *improved framework of English society*, which, though in consonance with the spirit of British institutions,

should become, through the process of re-amalgamation, a purified body.

Of the bulk of the rural population constituting the yeomanry of Upper Canada, it may be emphatically said that, although for the most part rough, blunt, and uncultivated, they are nevertheless a brave, an open-hearted, and a hospitable set of people. But the last part of this observation by no means equally applies, as bodies, to those individuals forming what is termed the "society" of the towns, who, generally speaking, are ostentatious without being truly hospitable.

The formal restrictive etiquette prescribed by the *custodes morum* of each place, for the regulation of its social intercourse, but ill harmonizes with European notions of comfort and enjoyment ; and one cannot be surprised at Mrs. Jameson's exclamation against the state of Canadian society, such as she found it at Toronto, compared with the society of continental Europe : for, in effect, no more striking contrast could

probably be exhibited, than the unnatural attempts at imitation and the distortions of the first, with the natural ease and graceful freedom of the last.

Nevertheless, nothing is more true than that in society in all parts of Canada, as in society elsewhere, you meet many estimable persons, who justly claim exemption from the rule just mentioned; and it is no less true, that if the natives of Upper Canada would content themselves with being natural, aiming at simplicity in lieu of putting forth pretensions incompatible with their condition, they would appear to strangers under a much more favourable aspect than they do at present.

Though somewhat, also, the slaves of etiquette, the British inhabitants of Lower Canada have much the advantage over their brethren in the Upper Province in point of social qualities, and are in most respects, but more especially from their greater harmony and concord, a far more agreeable people to reside amongst.

The foregoing observations as to the social condition of Upper Canada, have been hazarded in no desire either to disparage or revile, but simply to show that a class of the native Canadians have themselves unconsciously been the means, in conjunction with other causes (yet to be adverted to), of keeping the country in the backward state in which it languishes.

The sources whence its renovation is essentially to be derived are, immigration and education; but more immediately the first. If the means of facilitating this be accorded, and all classes of settlers be alike welcome,—whether the capital they take with them be bodily labour, intellectual acquirement, or realized wealth,—the work of general improvement may be expected to go on apace, and Upper Canada speedily converted from a weak and sickly patient into a strong and healthful subject.

CHAPTER II.

Pernicious System of Land Granting.—Public Lands and Immigration.—Proper Management of the one and Encouragement of the other, the Basis of all Prosperity.—Working of the small lot System.—Military Colonization.—Fallacy of Land Endowment for purposes of Education.—Means of Education.—Abuse of Trust Funds.—Clergy Reserves.—Marriage Licences.

It can neither be too often repeated, nor too strongly urged, that the greatest existing drawback to the physical improvement of Canada, arises from the lavish profusion with which extensive grants of waste land have been made unconditionally to private individuals, and also as endowments.

From the early history of the colony until within a few years past, this was considered an easy mode of recompensing real or imaginary public services; and thus, whilst tracing to a

want of foresight, a wilful disregard of future consequences, and a baneful system of favouritism, the very serious evil which has been entailed upon the province, we cannot but perceive that the covetousness of the great landholders presents a grave difficulty in the way of the adoption of such measures as would prove in effect remediable.

These persons, nevertheless, are pursuing a course of policy the most subversive of their *permanent* interests that could possibly be devised; for, considering the present aspect of affairs, it would positively be worth the while, both of themselves and the Government, to give away a portion of the lands at the disposal of either, to those willing to settle on and cultivate them, in order not only to secure the remainder, but to prevent the country itself from slipping through their fingers in a fit of weakness.

The waste lands in the surveyed parts of Canada are comprized under the titles of Crown and Clergy Reserves; lands set apart

- Educational Endowments ; lands belonging to Public Companies and Private Individuals.

Interposing, as vast tracts of all these sections do, between settled districts, and presenting, for the most part, no immediate equivalent for the excessive price that is set upon them, they operate in a twofold sense as direct impediments to improvement; first, by deterring the class of persons most needed from becoming purchasers; and secondly, by retarding general progress.

To increase the mischief, the residue of ungranted waste lands, which remained at the disposal of the Crown, has been ceded to the control of the Provincial Legislature; the last dispensing power to which such a charge should have been entrusted, seeing that a large proportion of its members, being themselves extensive proprietors of waste lands, have an immediate private interest to oppose to the public benefit, in keeping up prices which they are not justified in asking, whether as regards the present positive value of the lands in question, or the low and

uniform price at which similar purchases may be effected in the United States.

As a general principle, it may be taken for granted, that no positive alienation of waste lands, in a country requiring progressive settlement, should be permitted, unless for the purpose of actual cultivation; while, further, no positive sale of those lands should take place, without a proportion of the proceeds of such sale being appropriated to the promotion of immigration.

But what do we see in the case of Canada? Why, the sale of lands made a source of profit to the Government; the proceeds in part applied to the support of an overpaid civil establishment, and in part to the maintenance of a clergy already amply provided for by the endowment called the Clergy Reserves. This is at once rendered obvious by the fact, that a very considerable portion of the Crown revenue consists of the annual payments made by the Canada Company for the lands which they have purchased of the Government.

By the terms of the original agreement entered into, (as appears by published statements,) the whole of the Crown Reserves, amounting to about 1,384,400 acres, and also a portion of the Clergy Reserves, amounting to 829,400 acres, were to be sold to the Canada Company at 3s. 6d. per acre, and the Company was to complete its part of the contract at the expiration of sixteen years, from the 1st July 1826, the annual payments to the Government, or purchase-money, being fixed as under :

Year ending July	1827	...	...	£20,000	
—	—	1828	...	...	15,000
—	—	1829	...	...	15,000
—	—	1830	...	...	15,000
—	—	1831	...	...	16,000
—	—	1832	...	...	17,000
—	—	1833	...	...	18,000
—	—	1834	...	...	19,000
—	—	1835	...	...	20,000
Yearly, from	1836	} £20,000 = 140,000			
to	1842				
Total				...	£295,000

The difficulties which supervened respecting the question generally of the Clergy Reserves, led to the resumption of that portion of them ceded to the Company, and to the substitution of the same, by a tract of about 1,000,000 acres in the Huron district, the difference of quantity being given because of a lower estimate of present value; and in consideration of these circumstances, the Company appears to have been allowed the privilege of expending on local improvements, *one-third* of the purchase-money of this particular territory, in lieu of paying it to the Government, as at first stipulated.

The acquisition of ready-money would seem to have been the prime object of the Government in effecting this extensive alienation of public lands from its control; but without entering on a discussion of the violation, thence resulting, of the primary principle of colonization, already alluded to, it must be admitted that the Company has done much local good within the sphere of its actual vocation, how much soever

its existence may have conspired, with other causes, to maintain the price of waste lands generally at a comparatively undue rate.

In the session of the provincial legislature, ending in April 1839, a bill was passed accepting the offer of the surrender of the Crown revenue, on condition of a civil list being granted; but rejecting the proviso that the charge borne upon that revenue for ecclesiastical purposes should thenceforth be defrayed by the province. On the other hand, it was contended, that the fund derived from such portion of the reserves as had been realized, being insufficient for the support of the clergy to be maintained, fully justified the imposition of such charge: thus giving to the clergy, in addition to the enormous quantity of land already set apart for their especial use, the benefit of an annuity mainly derived from the sale of other land, to which they had not the shadow of a pretension. If the realization of the clergy reserves did not proceed so rapidly as was wished, or was neces-

sary for the objects of the endowment, then a demand for those lands, constituting some of the most valuable in the province, should have been *stimulated* by affording increased facilities of immigration: while, under any circumstances, it might have been left optional with the legislature to provide for any temporary deficit by an annual grant, in lieu of being called upon to become a consenting party to entailing on the general provincial fund, as a fixed annuity, a charge which, if incurred, could only with propriety have been regarded as an advance on the security of the clergy reserves, repayable whensoever those reserves were rendered available for the purpose.

The bill, being a reserved one, was rejected by the Home Government on account of the omission in question; because, as it was stated by the colonial minister, the faith of the Crown was pledged to the receiving parties: in other words, that because the colonial office had diverted annually a certain sum from its legitimate

object, the provincial legislature were to perpetuate the spoliation.

At the date of my leaving Canada, this matter remained in abeyance; and during the last session of the provincial legislature, no further discussions in relation to it appear to have ensued, while, indeed, the measure of the Union obviated the necessity of their taking place.

The settlement of Canada, in proportion to its extent, being the object to be promoted as the fundamental means of rendering it henceforward *tenable*, whether primarily as a British province, or eventually as an independent state, no effort should be left untried to induce the passing of such legislative enactments as should place within the reach of every class of purchasers the wild lands requiring to be brought under progressive cultivation.

Now, in addition to the imposition of a tax on wild lands, being private property, recommended by the Earl of Durham, no measure appears so well calculated to accomplish the

great end in view, as a law fixing at a low uniform rate, the price of all other denominations of wild lands, so as to bring down by its operation the price of all private waste lands to the same common level.

It ill accords with the dignity of the British Government to resolve the sale of waste lands at its disposal into a source of mere pecuniary profit. Its sole, its only object, should be to procure the settlement of the country needing population; and so long as indemnity for the actual expenses incurred in the administration of the land department be obtained, no further pecuniary advantage should be sought.

Throughout the United States, the custom has obtained for years past, of fixing a common price upon all public lands indiscriminately that are brought to market; and such rate has not exceeded, nor does it, I believe, exceed, a dollar and a quarter, or about five shillings and tenpence per acre; while, indeed, it has been proposed in Congress to reduce the mar-

ketable price, on an immense tract of territory west of the Mississippi, to three-fourths of a dollar, or three shillings and fourpence-half-penny sterling, per acre.

In the States, the rate being every where the same, and generally known, the intending purchaser has nothing to do but to make his selection where he pleases, pay his money, and retire, after a very brief delay, with his title-deed in his pocket.

Five shillings currency, equivalent to four shillings and sixpence sterling, should be the very maximum of the price per acre, set upon the waste lands in Canada that are not private property; by which means, and by the imposition of a tax, the latter must also speedily be brought down to the same rate.

Nothing short of the adoption of some fundamental measure of this kind, can be expected to attract immigration from Europe, or to insure such competition with the United States as shall at least effect a fair division of the renovating

stream, which is at present almost exclusively monopolized by that country, at the expense of Canada.

In former times, the following high location fees, constituting a heavy tax on immigration, seem to have been demanded by the government for lots of land conceded :

For 100 acres	...	...	£12 sterling.
200 do.	...	...	30
300 do.	...	...	60
400 do.	...	...	75
500 do.	...	...	125
600 do.	...	...	150
700 do.	...	...	175
800 do.	...	...	200
900 do.	...	...	225
1,000 do.	...	...	250
1,100 do.	...	...	275
1,200 do.	...	...	300

Subsequently, such fees were reduced to the following scale :

For 100 acres	...	...	£5 14s. 1d. sterling.
200 do.	...	...	16 17 6
300 do.	...	...	24 11 7
400 do.	...	...	32 5 8
500 do.	...	...	39 19 9
600 do.	...	...	47 13 10
700 do.	...	...	55 7 11
800 do.	...	...	63 2 0
900 do.	...	...	70 16 1
1,000 do.	...	...	78 10 2
1,100 do.	...	...	86 4 3
1,200 do.	...	...	93 18 4

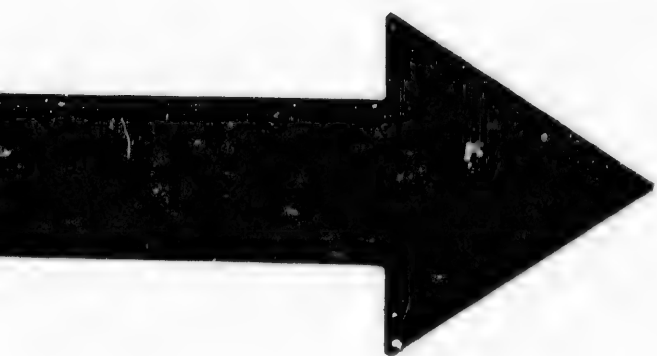
At the present time, the government practice of granting lands on payment of fees, has been superseded by that of periodical sales of waste lands, in various parts of the province, such sales being conducted by local agents appointed for the purpose. The lots intended to be disposed of are put up to auction, at a *varying upset* price, regulated by the average value of wild lands in the particular neighbourhood, and are knocked down to the highest bidder.

This practice, though doubtless an improvement on the former one, is nevertheless a very inadequate measure of relief as regards immigration itself; since it wants the primary recommendation of *uniform low price*, and has, moreover, the disqualification of inducing collusion, and hence practical abuses.

Under this new regulation, a change has also been effected in the arrangements respecting the land claims of individuals who have retired from the military and naval service; such claims being now liquidated by an allowance, termed "remission money," graduated according to the rank of the party, on the amount of the price which the land put up for sale may realize.

Portions of those tracts of waste lands yet unalienated, might advantageously be set apart for the purposes of military colonization: that is, free grants of land might be made, on condition of military service by the grantee, at any time required during a given period; by which means, the two-fold object would be answered, of streng-





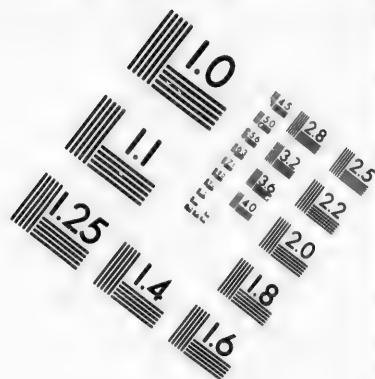
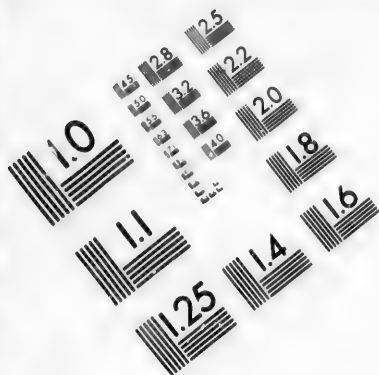
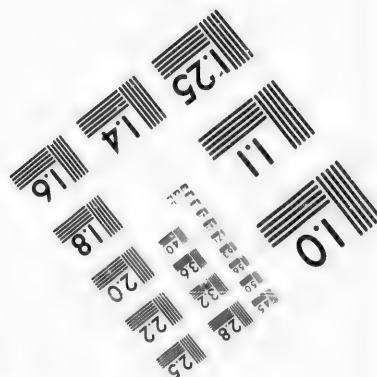
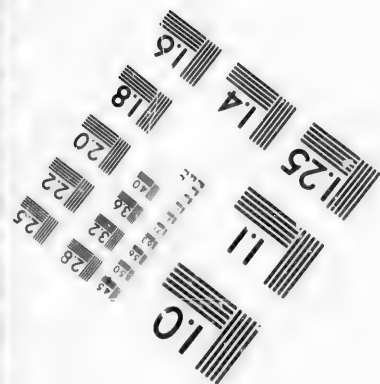
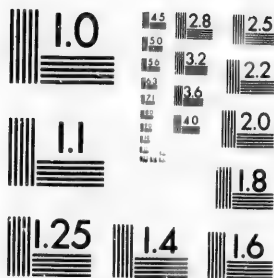


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ening the population, and dispensing with a portion of the regular military, as well as militia force, else necessary to be maintained.

The funds accruing from such sales as might be effected, as also those derived from the meditated tax, should be consecrated, for some time to come, to the cause of immigration alone, and more especially to its promotion, by facilitating the endeavours of industrious persons, desirous to become settlers, to transport themselves and their families from their native land.

The outstanding claims of U. E. loyalists, who, as stated in another chapter, possess the invidious right of locating wheresoever they may find a vacancy, should be forthwith called in, to render the above, or any other remedial plan efficacious; but no fresh grants should be made, even to this favoured class, unless upon condition of actual settlement; their claims being, moreover, forfeited unless preferred within a prescribed time.

As an auxiliary to the foregoing means of settlement, remains to be mentioned a plan of lo-

cation, termed the small lot system, which, from every statement, has already been successfully adopted on a limited scale, and may be very beneficially extended. This system appears to have had its origin in the following circumstance:—

About eight years since, frequent complaints were made by agriculturists, residing in the vicinity of certain towns in the Gore district, of the great scarcity of labourers; and in order to remedy, in some degree, the inconvenience thereby occasioned, the executive government directed the location of some indigent immigrant families on parts of the government reserves situated near the towns in question.

Lots of five acres each were accordingly laid out, and huts erected thereon, at the expense of government; the parties installed in them receiving an assurance, that if the land were not required for the purposes for which it was originally set apart, and they conducted themselves with propriety, they would not be disturbed in their locations.

Upwards of sixty families, as I have understood, were thus provided for, who, it is believed, have not only done well for themselves, but been of great service in the surrounding neighbourhood.

It is obvious that this system, wheresoever it can be acted upon in a country like Canada, possesses many great advantages. In the first place, it gives the labourer an immediate home, and enables him to find employment in the cultivation of his own lot, in the intervals of his hired services being in requisition; while, on the other hand, it opens a market to those who stand in need of a labourer's assistance.

I have further understood that in a year or two after the first experiment, between fifty and sixty families of the same class, who arrived late in the season, and for whom immediate employment could not be obtained, were located on similar lots, in two other townships in the eastern part of the country; but as there were then no settlers there who could afford to hire labourers, the

parties in question were employed, at the public expense, in opening roads and clearing lands, during the winter months.

According to all accounts, these poor people have also done well ; all of them now possessing cattle, and many having saved wherewithal to purchase land which they are engaged in improving.

It is at best problematical, whether the townships referred to would not have remained unoccupied to the present hour, but for this mode of settlement. One of them, it appears, from its superior fertility and the possession of a saw and grist mill, has made greater advances than the other, and withdrawn, indeed, from these causes, a portion of that other's population to itself ; but both have gone on steadily prospering, and have furnished, on more than one critical occasion, a hardy well-affected race of men, for the defence of the province.

In the whole country there is, in fact, scarcely a town or village in the vicinity of which from

five to twenty-five families might not be thus advantageously located, were means set apart for the purpose, as readily they might be, under a revised method of conducting the affairs of the whole land department, and a legitimate appropriation of its funds.

The entire expense of locating in this wise, a family of five persons is computed to be from £7 10s. to £10 currency (a ninth less in sterling), allowing £5 for the construction of a hut, and from £2 10s. to £5 for transport and provisions. The expense would of course be greater in new, unsettled townships, because the government would have to provide employment for such settlers until they should bring their lands under cultivation, and there should be a higher grade of settlers to require their labour. But this is an objection far too trivial to be entertained, considering the very great importance of the object to be promoted, nor should it be allowed to militate in any way against the practice of the measure advocated.

I quote from a very able and interesting work, published anonymously in 1834,* the following passages, serving to bear me out in many of the conclusions at which I have arrived in regard to the alienation of the public lands in Canada from their legitimate object.

Speaking of the baneful effects of Crown and Clergy Reserved Lands interposing between cultivated allotments, the author says: "As flour is an element of bread, so is waste land an element of colonization; but as flour which has been turned into pie-crust will not make bread, so neither is waste land which has become private property an element of colonization.

"It is the disposal of waste land in a certain way which is the primary means of colonization, and when the land has been disposed of in another way, the power to dispose of it in the right way no longer exists. Land, to be an element of colonization, must not only be waste,

* England and America: a Comparison of the Social and Political State of both Nations. 1 vol. large 8vo., New York edition.

but it must be public property, liable to be converted into private property for the end in view. In the art of colonization, therefore, the first rule is of a negative kind: it is, that governments having power over waste land, and seeking to promote the removal of people, should never throw away any of that power; should never dispose of waste land except for the object in view, except for the removal of people, for the greatest progress of colonization.

“This rule has never been strictly observed by any colonizing government: it has been grossly neglected by all such governments excepting only the United States, which, since they became entirely independent, have been more cautious than any other colonizing government ever was about the disposal of waste lands.”

Again: “General Lafayette* has been requested to sell his grant to people who will use

* Alluding to the grant of land in the United States made to the late General Lafayette by the American people, in testimony of their sense of the services rendered by him to their cause during the War of Independence.

it, because, that is, being at once desert and private property, it is a bar to the progress of settlement in all directions towards its centre. This again is the case with the land of the clergy in Canada, who have obtained vast tracts which they cannot use, and with a still more absurd kind of property created in that colony; namely, tracts of land 'reserved' by the Crown in the midst of land which has become the property of individuals. In this last case the Government behaves worse than the dog in the manger, who only prevented others from using that which he could not use himself. Besides doing this, the Government of Canada injures all the people who surround its reserves of land, by interposing deserts among them; it is as if the dog had bitten the cattle, besides hindering them from eating the hay."

In Upper, as in Lower Canada, the means of affording a sound and useful education to the people are, by common assent, far in arrear of the general want.

Here again, it will be found, upon a close investigation, that in this, as in every other matter affecting the social happiness of the Canadian people, an *unwise administration of the public lands* has been the real root of all existing incongruities; first, by preventing settlement to the extent needed, thereby checking population, and consequently retarding the physical improvement of the country; secondly, by creating therein a false state of society; thirdly, by vesting in unqualified hands a trust purely national; and, lastly, by a general misapplication of means to ends.

Independent of the invidiousness of special land endowments, and the viciousness of their principle in a new country, no more convincing proof of their impropriety, in the present instance, could, perhaps, be adduced than the fact that, *ample as they are*, the slow measure of their productiveness, inseparable from their *prospective value* being set upon them as their *present worth*, has ill adapted them to the end designed,

while their concession has not superseded the necessity of reiterated appeals to the legislature for pecuniary grants!

These general remarks apply alike to both provinces; but, in regard to specialities, I must confine myself to Upper Canada, as it is in regard to that province chiefly that I have acquired my means of information on the subject. And, first, as regards endowments for the purposes of education.

A few years after the injudicious division of the province of Quebec into the provinces of Upper and Lower Canada, it was directed that a portion of the waste lands of the Crown, situated in the former, should be set apart for the endowment of grammar schools, and, in process of time, also of a university. Accordingly, several townships were selected, comprising, after the usual deductions for Crown and clergy reserves, about 549,200 acres.

At the expiration of the next ten years, so unfruitful had proved this extensive grant, that

the local legislature was under the necessity, in order to meet the pressing wants of the community, of appropriating from the revenue of the province the annual sum of £100 currency to each district, for the maintenance therein of a school, corresponding in some degree to an English grammar school.

These schools, established in virtue of legislative enactment, were subject to certain regulations, and placed under the direction of trustees nominated by the Lieutenant-governor. There are now twelve, if not thirteen, of them in existence; but, according to all accounts, in a very inefficient state.

Within the ensuing fifteen years, the land endowment still remaining insufficiently productive, the legislature found itself called upon to assign annually to each district a further sum of £250 currency, for the support of a common school, and the same, as far as the provincial funds will admit, is still continued. Independent of these special pecuniary grants, a general

one, amounting to £5,000 currency appears, on one occasion to have been made.

This brings us to 1823, about which period, the Colonial Secretary possibly presuming that the barren endowment had too long revelled in its native wildness, assigned the management of it to a local general Board of Education, composed of various personages holding prominent stations at Toronto.

Judging by results, the proceedings of this Board, during the ten years that it continued in existence, tended as little to promote that most essential object of its appointment—the promotion of the cause of elementary instruction—as to have inspired the public with confidence in its wisdom: since the quantity of school lands leased or disposed of under its management did not, it should seem, exceed twelve thousand acres; while, in 1832, the trust reposed in it was resumed at the requisition of the House of Assembly, subject to whose control was thenceforth placed all revenue derived from past, or to be derived from future alienations.

I am not aware what further sums have been realized under this new arrangement; though, considering the almost entire cessation of immigration, and the unsettled state of the country for some years past, they cannot have been very great.

But there is a point, connected with the proceedings of the Board just mentioned, which remains to be adverted to. It has been stated that the land endowment, forming the subject of discussion, contemplated, among its other objects, the establishment, in process of time, of an university. Now this, if it meant any thing, surely implied the pre-existence of a state of things which should justify the erection of such an institution: for a condition of society can scarcely be conceived so anomalous as to require a seminary conferring the higher grades of academic learning on the few, while the means of extending elementary instruction to the many, should be almost wholly wanting. The Toronto Board of Education took, however, an entirely different view of the question: either assuming

that elementary education in Upper Canada had attained its zenith; or deeming it better to begin at the apex and work downwards to the base of the structure they were called upon to rear, than to follow the old-fashioned custom of first laying the foundation, and then working upwards. In other words, they sought to invert the entire order of the whole scheme of the endowment, by strenuously endeavouring to raise the projected university at the expense of the primary schools.

To this end, a royal charter of incorporation was applied for, and granted. The next proceeding taken was of a far more profitable nature. Influence was successfully exerted with the Home Government to induce the King to resume out of the original general endowment about 225,900 unproductive acres, and to assign in exchange for the same the like quantity from scattered Crown reserves, partly under lease, in old settled townships, where the lands bore a greater present value, as a special endowment

for the university. This might or might not be grasping for a single object an undue share of the primitive grant : but this was not so much the question, as that what *could* be done for special education was not done for popular education *in preference* ; seeing that the latter was miserably languishing for the means of extension and support, and the wherewithal was wanting to accomplish both objects in conjunction.

The stimulant, however, of snug benefices and patronage in prospective, attaching to the one case was deficient in the other, which had alone to recommend it, the advancement of the public good.

Thus far all had gone on in accordance with the views of the Board, but the further progress of their undertaking was frustrated by an untoward incident.

The charter, when it arrived, gave such general dissatisfaction, from the exclusive religious tests which it required of the College Council and professors, the nomination of the Archdeacon of

Toronto, for the time being, as President of the University, and some minor matters of detail, that the legislature petitioned the King to supersede it by another, excluding the obnoxious clauses.

This was declined, as an irregular method of proceeding, but the Provincial Legislature was empowered to pass an act, making such amendments to the charter as they might deem expedient. Numerous sessions elapsed in vague and acrimonious discussions on the subject: nor was it until the early part of 1837, that the points at issue were finally adjusted in the manner suggested.

Pending these occurrences, a march had been stolen on the projectors of the University, by the present Lord Seaton, then Lieutenant-governor of the province, who succeeded in establishing, in January 1830, after much difficulty and labour, the institution known as Upper Canada College, and which corresponds in its principle to superior grammar schools in England.

As a special endowment for this seminary, the further quantity of 66,000 acres was abstracted from the school lands, and exchanged, as in the case of the embryo university, for an equivalent in more valuable Crown reserves. Moreover, it had assigned to it an eligible location in the best part of Toronto; while the land pertaining to a 'royal' grammar school already existing there, which it superseded, was sold for its advantage.

It might have been supposed that these benefits, combined with the ordinary revenue arising from the fees of tuition, would have sufficed for the efficient maintenance of the institution, but such has not hitherto been the case; and it is evident, from documents submitted to the provincial legislature, that yearly appropriations from the funds of the university endowment, have alone enabled the college to go on.

These appropriations now constitute positive alienations from the endowment in question; for, by a clause in the provincial act amending the

university charter, the college has been incorporated with that institution as a subsidiary branch; so that the endowments of either have thus virtually become common to each; though practically, the advantage has been rendered altogether one-sided by the pre-existence of the college, and the endowment of the university being more immediately productive.

Such being the state of the case up to the early part of 1837, it may readily be surmised, on a review of the circumstances of the country subsequently thereto, that the university stood but little chance of assuming a more tangible shape than formerly: while, in point of fact, what between the foregoing causes, and one or two others yet remaining to be mentioned, the scheme of its present erection has completely fallen through.

In the session of the Upper Canada legislature ending in April 1839, an act was passed appropriating a still further portion of the annual revenue accruing from the University

endowment, to the support of Upper Canada College and the District Grammar Schools, on the ground that education would be thereby more effectually advanced, considering its present state, than by the erection of an University.

The proceedings incident to this measure having necessitated an inquiry into the actual state of the University funds, it was discovered that large abstractions had been made therefrom, for private purposes by the officers entrusted with their management; that loans had been granted from them on mere personal security; and that, in fine, profiting by the state of abeyance in which the University had so long been left, the officers in question had most shamefully abused the trust reposed in them. Two of the subordinates were at once dismissed; but the general Board, with whom the responsibility virtually rested, escaped harmless; though it was obvious that the work of spoliation must have been going on for a considerable length of time.

From printed statements submitted to the

House of Assembly, it would appear, that the aggregate value of the lands of the endowment sold or leased, to the end of 1838, was £100,809 currency, whereof £53,224 had been actually received, leaving £47,585 to be realized. On the other hand, the amount of the alienations to Upper Canada College was (including, I believe, nominal interest) £33,944; the estimated value of loans and investments, &c. £15,237; and the apparent cash balance £8,368, making an aggregate amount of £57,550 in assumed assets; but very little of which, it was believed, could *readily* be made available.

As regards the land endowment, a review of much that has preceded, taken in conjunction with some further returns to the legislature, will give the following results.

Disposal of original grant of 549,200 acres :	
Resumed by the Crown, in lieu of	
scattered reserves granted to the	
University	225,900
Resumed by the Crown in lieu of	

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scattered reserves granted to Upper	
Canada College	66,000
Apparent balance for Elementary	
Schools	257,300
Total	549,200

Disposal of the above special grants:

	Alienated.	Disposable.	Total.
University en-			
dowment ...	93,700	132,200	225,900
College ditto...	17,388	48,612	66,000
	111,088	180,812	291,900

As regards the school residue, deducting the 12,000 acres alienated by the Board of Education, and also about 17,000 more, which are stated to have been granted to surveyors for professional services in lieu of money payments, there will remain a seemingly disposable balance of 228,300 acres; but allowing for what may have been since realized, and for mis-statements, it will be perhaps safer to estimate the actual quantity available at 200,000 acres.

I have been thus minute in the history I have attempted of one great branch of the special land endowments in Upper Canada, from a desire to prove, that while such endowments are incompatible with the condition of a *new country* requiring to be *quickly* settled, they are, howsoever ample, inadequate as a means to the ends which it is their professed object to promote.

The case brought under review presents a striking illustration of this fact; establishing, moreover, that even were the principle of the endowment a correct one, the method of its development was replete with fallacy and injustice; attempting as it did to invert the legitimate order of a common inheritance.

Though, unquestionably, an object most desirable *per se*, the establishment, if it were possible, of an institution in Upper Canada, conferring only on the few the higher grades of literary and scientific learning, would be a strange burlesque, *so long as* elementary instruction remained in arrear of the general want. A very strong

feeling consonant with such view, obtains on this subject in the province; and it was signally displayed when there seemed a probability of an University and a College figuring in conjunction, at *Toronto*, when the rest of the country was inadequately supplied with schools.

Another serious evil arising from the neglect of popular education in Upper Canada, is that throughout the rural districts, numerous American adventurers, many of them persons of the lowest grade, and imbued with sentiments the very reverse of friendly to everything that is British, have "squatted" as elementary teachers, wheresoever they found the field unoccupied; pursuing their speculation with pecuniary profit to themselves, but with any thing but advantage to the moral discipline of their youthful pupils.

There are a few good private schools in the different towns of the province, conducted by competent individuals; but such are of course useless as regards the rural population, as is

also the Wesleyan Methodist College, established at Cobourg, which, notwithstanding the clamour raised against it by persons of ultra notions, is, according to every account, a very well conducted and very useful seminary. It has received from the local government, in aid of its funds, a loan or grant of about £800 sterling, and is under the management of a Board of trustees.

The only effectual remedy for the untoward state of things thus induced in regard to education, by a wrong course of action, would obviously seem to lie in the appropriation of *the whole* of the present annual revenue, derived from the University endowment, to the common purposes of elementary education, as it is now *in part* applied;—the *resumption*, so as to effect the speedy realization of the residue of the entire educational endowment yet unalienated,—say, in round numbers, from former statements, 380,000 acres,—by fixing on it in common with the Clergy Reserves and all Crown Lands, a

price that should readily command purchasers; and finally the investment of such proceeds in a productive stock, the interest wherefrom to be progressively applied in promoting the general cause of education, irrespective of its highest branches.

When a fitting time arrived for the erection of the proposed University, the object might be accomplished by the joint agencies of a special pecuniary grant (since it may be assumed that the country would *then* be in a condition to afford it) and the voluntary contributions in subscription shares or donations, of individuals interested in its establishment, in the same manner that we have seen practised in England in the cases of the two Metropolitan Universities of recent origin.

By the realization of the lands of the endowment, the two-fold object would be effected of extending education and promoting immigration: while, regarding as we must, on the other hand, former unwise alienations of the public

lands in Canada, as the fundamental cause of its present weakness ; and, on the other, wholesale immigration, as the chief element of its future strength, it is apparent that the remedy which may serve to remove the one, must equally contribute to advance the other.

Apart from the abstract consideration of the impolicy so frequently adverted to, of a colonizing government releasing from its own control, *for any purpose whatsoever*, the means of regulating the settlement of a country needing population, it cannot reasonably be doubted, keeping in view the arguments already adduced in regard to education, that the cause both of religion and sound public morality in Upper Canada would have been far better promoted, had that element of *fierce* polemic strife, the "Clergy Reserves," never been introduced into the province ; and had pecuniary provision been made in lieu thereof, for the support of a Christian ministry, from the very extensive fund

which might readily have been accumulated from the progressive sale of all public lands indiscriminately at a moderate price.

They who, from personal observation, are aware of the minute sectarianism, and the spirit of religious independence, which obtain so generally in Upper Canada, will at once concur in the opinion that no dominant church, of any kind whatsoever, could have maintained itself there, even had such been established in the outset; while to hope for the establishment of one *now*, or of any thing in the least approaching to it, would be the very acme of self-delusion. This is obvious, when it is borne in mind that the ranks of Canadian society are *essentially* recruited by individuals who are *not* of the Episcopal Church of England; and that no one great Christian denomination *sufficiently* predominates over the other to entitle it to any thing savouring of *exclusive privileges*.

Possibly, the scale of gradation respecting

numbers, *may* be such as it is shown in the attempt at a religious census,* lately made at the instigation of the provincial parliament, namely; 1st, Church of England; 2d, Church of Scotland; 3d, Methodists, of all kinds; 4th, Church of Rome; 5th, Baptists.

But implicit reliance must not be placed on the returns in question, because, in the first place, they were wholly devoid of such authority as would give them weight; in the next, were lamentably deficient in uniformity and correctness of detail; and lastly, were admitted, in very many cases, by the parties who made them, to confound indiscriminately together, the number of individuals and the number of families.

I speak advisedly, and from positive knowledge on this point; having had the opportunity of seeing the whole of the separate returns them-

* An abstract, apparently of this census, has lately appeared, if I remember rightly, in some of the public prints.

selves; than which nothing could be more vague or unsatisfactory, as statistical data.

Though much information has already been promulgated on the subject, it may not be amiss, in this place, to state briefly the history and statistics of the clergy reserves of Upper Canada.

The reserves consist of one-seventh part of all surveyed lands throughout the province, and were set apart pursuant to a provision made at the time of the division of the province of Quebec, for the support, as the terms expressed, of the Protestant religion.

The ambiguity of this wording, while it has given rise to much ingenious controversy, both in and out of Canada, appears to baffle satisfactory solution. But whatever might have been *intended*, it should seem obvious that the designation in question does not necessarily imply, even in spirit, a purely episcopal clergy, and therefore, each pretending party is left an opportunity of construing the meaning according to its own particular view. We may be assured,

however, that no degree of precision would have sufficed to overcome the jealousy which speciality would have excited on the part of a community whose components are of the character of those described. Argument, therefore, upon the matter becomes useless; the Canadian people will a distribution of some kind; and where are the means available, supposing their employment to be justifiable, of resisting their fixed determination?

I am not aware of the precise nature of the grounds on which the members of the *Romish* church rest their claim to a participation in the clergy reserves; but I have understood that they would readily forego it, were a portion of the forfeited estates of the extinct order of Jesuits in Lower Canada set apart for their use.

These estates are said to be very valuable; but the notion of any *further* land endowment for the purposes of Catholicity, seeing how amply it is already provided for in Canada, cannot be too strongly repudiated. The Ca-

tholic priesthood in Lower Canada already enjoy very undue advantages over their Protestant brethren, whether dwelling there or in the Upper Province, and the extension of similar privileges to the members of their church in the latter, would be a proceeding no less impolitic than unjust. In addition to their tithes, the Romish priesthood of Lower Canada hold an immense amount of real estate there, under the feudal tenure, notwithstanding that their retention of such property in seigneurial right, is a direct violation of the conditions on which the tithes were granted to them.

As regards the "Jesuits' estates" referred to, the legitimate mode of dealing with them would seem to be their speedy realization by sale, the proceeds derived therefrom to be invested in a common fund for the promotion of religious and secular instruction; in which case, the Catholic clergy of Upper Canada might, without impropriety, come in for a share of the *pecuniary* grant.

This is the most they can reasonably expect, and the most, at any rate, that should be conceded to them in common with the other chief Christian denominations.

According to official statements submitted to the provincial legislature in the early part of 1839, the amount of clergy reserves taken from surveyed lands, is nearly 2,400,000 acres; consequently the aggregate of the latter is not far short of 17,000,000 acres.

The number of acres actually sold or leased, appears to be about a third part of the whole endowment, thus leaving a residue of about 1,600,000 acres to be realized.

Up to that time, the stated value of the sales effected was (computed in sterling) £294,221; the *net* amount of the sums realized, and invested in England, £97,628; the balance remaining to be paid £179,991.

Payments on sales of clergy reserves are allowed to extend over a period of nine years, and interest on any instalment is not charge-

able, unless such instalment should be overdue.

In regard to leases, there is left, I believe, no right of pre-emption at their expiration.

From what has preceded, it is seen that the present annual income accruing to the episcopal clergy from the land endowment is composed of rents on leased lands, dividends on investments, and interest on outstanding balances. I know not what may be the aggregate amount of these items; but its alleged inadequacy,—thereby proving the mischief of the endowment as regards immigration,—entails upon the Crown fund, as I have elsewhere stated, an annual charge amounting, I believe, to about £7,700. From the same fund, also, the Presbyterians, the Wesleyan Methodists, and the Roman Catholics, receive amongst them about £4,500.

Judging from certain manifestations within my cognizance, that betrayed themselves towards the close of last year, the episcopal clergy of Upper Canada would seem to be animated

by a desire to deprive the local government of the power of issuing marriage licences, and to secure to themselves, as an ecclesiastical right, the profits of this civil privilege. It would be a matter of very deep regret, if any attempt of this kind should in effect be made; because not only must it end in failure, but also entail upon the clergy in question a degree of odium, not very desirable under existing circumstances to incur.

The preferment of the claim would prove, we may be well-assured, a second Clergy Reserves' squabble; nor could any greater mischief than its success, if success were possible, be perpetrated; since the effect would be to unhinge the general contentment which obtains in regard to the mode at present practised, and which effectually obviates the slightest sacrifice of conscience.

The fee on each of these licences is 30s. currency, or 26s. 8d. sterling, two-thirds of which form a perquisite of the Lieutenant-governor,

who appropriates it to the use of his civil secretary, the remaining third being retained by the district agents, charged with the distribution of the licences.

It would no doubt be more desirable that the proportion of these fees, accruing to the Lieutenant-governor (averaging annually it is said, during the last few years, from £1,200 to £1,400), should merge in the general funds of the province (to be applied, if necessary, to ecclesiastical purposes), than that they should continue to form part of the emoluments of a civil officer, whose salary, on the contrary, should be fixed and paid in the same manner as that of any other public functionary; but it would be the height of imprudence, for the reasons stated, to transfer from the person administering the government, the privilege he has so long exercised with advantage to the community at large.

Though the settlement of the long-agitated Clergy Reserves' question by any pacific means

whatsoever would be a positive gain, inasmuch as it would serve to tranquillize the country, it is another matter how far any measure of adjustment, founded on mere temporary expedience, might prove lasting, or avert the possible contingency of an eventual confiscation of the whole endowment for purposes other than those of a religious nature. Under existing circumstances, this much, at least, is certain, that by seeking to preserve an exclusive claim to all, the episcopal clergy will lose all, whatever may be the prospective chances, of their remaining in the permanent enjoyment of such part as a present division might appear to secure to them. Regarding, therefore, this contingency, and considering also the reparation of an original error, the effectual means of adjusting the present difficulty would appear to consist in the resumption of that part of the reserves remaining undisposed of, in the same manner that has been suggested in the case of the educational endowment; in order that such part might be similarly realized, at a price to

command purchasers, and thence promote immigration.

It is not proposed to alienate the proceeds arising from such sales from their original purposes; but, on the contrary, to apply them exclusively to those purposes, (together with the annual revenues actually derived from the lands that have already been sold or leased,) in such proportions as the relative numbers of any recognized class of participating denominations might render necessary; while any deficiency requiring to be made up for the adequate support of all, should be supplied from the common revenue of the country. By this means all present conflicting interests would cease; the cause promoting religious dissension would be removed; and tranquillity might confidently be expected to succeed the reign of bitter sectarian discussion.

They who argue the religious cause of Canada, by analogy with that of England, argue upon fallacious grounds, since not the shadow of

analogy exists between the two cases. A land endowment in Upper Canada, for religious purposes, (particularly if they be of a special nature,) must be considered as in every respect unsuited to the primitive condition of the country; because it not only defeats its own object by retarding general progress, but subverts the social order which it is its professed object to maintain.

Adequate pecuniary grants are the substitutes needed to place both religion and education in Canada on the efficient footing on which it is desirable that they should be established there; nor can it be doubted that such grants might easily be furnished, were the necessary measures taken to improve the general provincial revenue, by the judicious management of waste lands, so as to induce immigration, and by the right development of the country's vast internal resources.

The means to the end last mentioned will form the subject of the succeeding chapter.

CHAPTER III.

State of Public Works.—Their completion an element of prosperity and strength.—Means of effecting this.—Sources of future Revenue.—Trade and Commerce.—Facilities for Smuggling.—Large consumption of smuggled Tea.—Remedy suggested.—Ordinary Revenue.

INASMUCH as the first step requisite is to *secure possession of the country, by increasing its population* through the medium of an extensive immigration, promoted by the judicious management of the land department, so, dependent upon these preliminaries, nothing appears more essential to the financial prosperity of Canada than the completion of the public works commenced there, to be effected by means of the capital, skill, and labour which such immigration would introduce.

The works in question are the canals, for the partial construction of which the bulk of the pre-

sent public debt of Upper Canada has been incurred; and which, in their present state, are conspicuous only as the absorbents of a large amount of credit capital, raised on debentures remaining to be paid, the annual interest whereof not having been specially provided for, as it should have been at the respective periods when the debt was incurred, is thrown upon the ordinary revenue, which it nearly equals in amount; and has consequently plunged the province into a similar state of bankruptcy to that (yet to be adverted to) entailed upon the commercial community by the local banks.

Though the design of the expenditure was good, it is clear that nothing could be more improvident than the method of developing it; and there is no saying where the imprudence practised might have stopped, but for the salutary lesson given to the Canadians by their republican neighbours, in the exhibition of reverses consequent on a spirit of enterprise carried to an extent that not even the immediate

realization of the great prospective advantages anticipated from the gigantic undertakings commenced, could have sufficed to keep in countenance.

Commenced in like manner on a scale (minor only by comparison), calculated with reference less to a present than to a prospective state of things,—the main stimulant to which, immigration, was strangely neglected,—the canals of Canada, or such parts of their general chain as have actually been brought into operation, could not be expected to yield an immediate profitable return proportioned to the outlay upon them, but which alone could avert the pecuniary disaster that must result from the imposition of a heavy special charge upon a fund already heavily encumbered with general services.

The question, however, now to be considered is, whether the works commenced in Canada shall be converted by their completion into elements of progressive wealth, proportioned to the creative industry of a population, whose

numbers should be continually augmented by the extraneous aid of immigration, or be left in their present stagnant unfinished state, involving in their own decay, the irretrievable loss of what has already been expended on them?

Assuming, as we have a perfect right to do, if no half-measures be adopted, the contingency of the country remaining for some years longer a British province, preparatory to becoming an independent State of England's rearing, connected with her by the ties of a common interest, the strongest of all national alliances, there need be felt but little hesitation in answering affirmatively the former interrogation. But if the rightful means to *secure* the country be neglected, why then, certainly, it would be the height of folly for England to aid in perfecting that, the benefits of which would be reaped by others, who have interests adverse to her own.

With reference to the first of these hypotheses, a very few remarks will serve to illustrate the view here taken of the future capabi-

lities of Canada, contingent on the increase of its population by means of immigration.

The Welland canal, overcoming, as it is known, with a length of twenty-eight miles and three hundred and forty feet of lockage, the difference of elevation between Lakes Erie and Ontario, though in active operation for several years, has been so injudiciously constructed, as to involve an annual expenditure in repairs alone, surpassing the whole amount derived from it in tolls, notwithstanding that these have been steadily increasing. The locks being built of timber in lieu of stone, sufficiently accounts for the necessity of the heavy outlay mentioned; but the facility of getting timber, does not palliate the oversight which led to such a mode of structure.

The original dimensions of this canal were adapted only to the passage of ordinary canal boats, but they were afterwards enlarged so as to admit of that of the lake schooners, not exceeding an individual burthen of two hundred

tons. It was commenced by a private company, who expended on it £117,000; but the bulk of the outlay on the work, as it now stands, has been defrayed from other sources, *viz.* £275,000 from the public debt of the province; £73,000 from the British Government, and £25,000 from Lower Canada, making, with the item first mentioned, a sum total of £490,000 currency.

The adaptation of the canal to future exigences could probably alone be effected at the cost of as much more; since the locks, now fast falling to decay, would require to be rebuilt of stone, and the channel sufficiently enlarged for the passage of steam-boats of a large size.

But, if these improvements were made, it is no exaggeration to predict that the increased profits arising from the superior navigation afforded would amply repay, at no distant period (contingent always upon immigration), the whole expense of the undertaking, from first to last, and yield besides a large surplus revenue.

It is further computed, that by means of

these operations, the present annual expense of £19,000, incurred for repairs and management, would be reduced to £5,000, thereby effecting a saving of nearly three-fourths.

Apart from mere domestic considerations, we must consider the Welland canal with reference to its capabilities in regard to extraneous objects.

It has already been the means of diverting from the tedious navigation of the Erie canal, much of the carrying trade required for the New York market; Oswego, at the eastern end of Lake Ontario, thus becoming the chief outlet for the extensive traffic between the Atlantic cities and the great Western States, in lieu of Buffalo on Lake Erie, the common centre towards which, as it is generally admitted, all the great arteries of the internal communication have a tendency to converge.

The very large number of American steamers plying on the latter lake, sufficiently warrants the conclusion, even were other evidences want-

ing, that the mutual relations of those States and the older States of the Union, are continuous and increasing; while, indeed, the population of the former are already extensive consumers of manufactured goods, and raise more than sufficient produce for their own consumption.

The transit, therefore, of merely a portion of such increased commerce through Canadian waters, would seem almost alone calculated to insure the reimbursement of the expenditure necessary to secure it, in common with the profit derivable from an augmentation of domestic trade.

But independent of pecuniary considerations, it is proper also to regard the Welland canal with reference to its susceptibility of being made, in case of emergence, a strong military barrier of defence, along that part of the southwestern frontier where it is situated.

I blush, as an Englishman, to state that on the British side of Lake Erie, a steam-boat

is quite a rarity ; a fact perhaps in some degree accounted for by another, equally lamentable, that unless at the extremities, or on the American side of this great sheet of water, there is scarcely a port or harbour wherein a vessel might find refuge from the storms which frequently prevail upon it.

The improvement of the Welland canal might possibly, amongst other advantages, induce the building of steamers, and the formation of ports on Lake Erie: let us hope that such would be the case.

The unwise cession by Great Britain to the United States, of an island in the St. Lawrence, termed "Barnhardt's Island," having brought such portion of the navigable channel of that river within the limits of the Republic, led in a great measure to the construction by the British Government, at the cost of more than a million sterling, of the great military work, known as the Rideau canal, which serves to connect the waters of Lake Ontario with those of the river Ottawa.

The utility of this canal, though complete to an extent, is rendered, on the whole, imperfect, by the want of proper adjunct links between Bytown, where the canal strikes the Ottawa, and that river's mouth. The canal itself is navigable for a small class of steam-boats ; but on parts of the line of the Ottawa, forming its continuation, such is not the case ; the channel termed the Grenville canal, and also that at the rapids at St. Ann's (one lock of which is owned by a private company), admitting of the passage only of small canal boats of the usual kind.

By enlarging these two points of the navigation, and purchasing the right of proprietary in the lock (measures no less necessary for military than for commercial purposes), steam-boats could ascend the Ottawa, without obstacle, from Lachine (within nine miles of Montreal), and proceeding along the Rideau to Lake Ontario, could thence descend the St. Lawrence from Kingston to some miles below Prescott, performing, in this wise, a complete circuit of navigation.

This effected, conjointly with the completion of the Welland canal, in the manner hereinbefore suggested, facilities of internal communication would be supplied, which would amply suffice for the trade of Canada, based upon the wants of a fast-increasing population, for many years to come.

As regards the St. Lawrence canal, intended to remedy the difficulties of navigating parts of the St. Lawrence, and projected on a scale to admit the passage of large steam-boats and sea-going vessels of a certain draught, I confess myself to be of the number of those (and they are many in Canada) who consider it to have been prematurely undertaken, and also very unwisely prosecuted.

One great objection to this canal is, its close contiguity to the United States' frontier, and its consequent liability to be at any time injured or destroyed by marauders from thence. It is for the prosecution of this stupendous work that the bulk of the provincial debt has been incurred ;

without, as I have already stated, the slightest provision being made for payment of the interest thereof, until the realization of profits on the undertaking. A portion of this canal, near Cornwall, is in a forward state; but such portion, even if finished, could not be made available for any useful purpose without the construction of a continuous chain of further extensive works in both provinces—a contingency, under all circumstances, somewhat remote.

At any rate, the necessary steps for its completion should be deferred until the other two canals be placed in an efficient state; since the prospect of it yielding a profitable return is far too distant to entitle it to a preference; and it would be obviously impossible to acquire the means of effecting the triple object simultaneously.

It was said to have been anticipated, by those who advocated the construction of this canal, that the effect of its operation would be to divert almost entirely from the port of New York, to

Quebec and Montreal, the yearly increasing export and import trade carried on with the Western States; and to induce the building of sea-going vessels on Lake Ontario, which, laden with Canadian produce, should proceed at once to England and her West India possessions.

That the latter object might have been attained is probable; but, as regards the first, the chance is somewhat more doubtful; for, however willing the Americans might be to use a British canal, enabling them, like the Welland, to traffic more readily *between two of their own ports*, as Buffalo and Oswego, they are not a people likely to withdraw from their great commercial emporium, a flourishing trade, in order to throw it into the hands of rivals; the more particularly when the dangerous navigation of the gulf of St. Lawrence is set off in the account against the safety of the Hudson. Speculation, therefore, in this instance, must be considered as having exceeded

reasonable limits, whatsoever its degree of plausibility. Were the navigation of the St. Lawrence in American hands, or were the Oswego and Erie canals *not* constructed, the case would indeed be different; while, in effect, it is seen that, prior to the completion of the canals in question, the produce of the American frontier States was conveyed by the British to the New York market, *via* the St. Lawrence and the ocean; but the opening of these canals speedily changed the aspect of affairs, and the Americans thereby secured to themselves all the advantages which their neighbours had been in the habit of enjoying.

It was this circumstance which, at first acting depressingly on the Canadian people, suggested the formation of the Welland canal; and the numerous American vessels that pass through it afford a partial indemnity, as regards Upper Canada, for the loss previously sustained; but, on the other hand, it would seem, from official statements, that since 1825, the year signalized

by the completion of the Erie canal, the general revenues collected at the port of Quebec have gradually diminished.

Notwithstanding what precedes, I must not be considered as arguing against the completion of the St. Lawrence canal, (howsoever unwisely it may have been commenced,) if means be plentiful; but as contending merely for the *prior completion* of the two more important works first referred to, present means being insufficient for all these objects simultaneously.

In Lower Canada, the canal commenced between Chambly and St. John's, for surmounting the impediment to navigation presented by the rapids of the Richelieu in that direction, remains in an unfinished state; but it is in every respect desirable that the work should be resumed and perfected, in order to preserve unbroken the line of water-communication between Lake Champlain and the St. Lawrence.

I extract, from a recent report of a finance committee of the House of Assembly of Upper

Canada, the following particulars respecting the origin, progress, and result, of the local improvements, in regard to internal navigation, undertaken within the last few years by the State of New York, as such statement will serve as a *prestige* of the benefits that might be expected to accrue to Canada from similar sources:

"In 1817," say the committee, "the New York legislature appeared wholly unconscious of their ability to complete the Erie and Ontario canal, when they applied for aid to the General Government and all the States interested in their success.

"In 1821, four years after they had commenced, the comptroller of the State, in obedience to a resolution of the legislature, estimated the revenue of the canal, for the ten years next succeeding its completion, at 150,000 dollars annually. The amount actually received during that period, exceeded ten millions of dollars.

"In the memorial of Governor Morris, before

the commencement of the work, he predicted that, within twenty years, 250,000 tons would be annually borne to tide-water.

"In 1836, 697,347 tons reached tide-water by that conveyance; and the total tonnage that year, ascending and descending, exceeded 1,300,000 tons.

"The tolls," add the committee, "were in

1824, ...	340,000 dollars.
1825, ...	566,000
1826, ...	762,695
1833, ...	1,542,695."

It is almost superfluous to observe, that the imports into Canada consist of all sorts of British manufactured goods and colonial produce, besides various commodities from the United States; and that the exports comprise grain, lumber, pot and pearl ashes, and barrelled pork. Both the one and the other, though now considerable in the aggregate, are a very trifle compared with what they might become, were the physical condition of the country raised to the high standard which it is susceptible of attaining.

In a review of Mr. McGregor's work on British America, in a number of *Blackwood's Magazine*, I find the following passage respecting a portion of the internal elements of wealth possessed by Canada, and its general accuracy may be relied on :

"One pledge for the future prosperity of Canada, is found in her mineral wealth. Even petalite, the rarest of fossils, is yielded by her soil ; iron, of the best quality, copper, tin, lead, plumbago, &c. &c., and all the metals predominant in the useful arts, have been found already ; nor do we recollect a single mineral which is indispensable to manufacturing industry, except only coal, which has not been discovered in Canada. Salt* and gypsum, are

* A great part of the salt consumed in Canada, comes from the State of New York, in which, near the towns of Syracuse, Liverpool, &c., there are very extensive salt works. An American gentleman in whose company I visited one of them, told me, the annual aggregate quantity of salt yielded by these works ; but I have lost the note I made of the particulars, and remember only that the produce was immense.

now produced in abundance. Even coal* would probably have been detected long ago, had the woods been less infinite. And, should it even appear that coal were never detected, still the vast coal fields in the neighbouring province of Nova Scotia, are known to be sufficient for the consumption of all America, through very long periods of time."

The Earl of Durham, when in Canada, was very strongly impressed with the importance of completing on an enlarged scale, the various public works, to which I have alluded, and made very urgent representations to the Home Government on the subject; besides directing that surveys and estimates should be undertaken.

Having thus attempted briefly to explain the advantages to be anticipated from the completion and improvement of such of the water lines of communication in Canada, as are in a partially

* I have understood, but do not vouch for the accuracy of the information, that coal has been found in parts of the country, lying a little to the rear of the shore of Lake Ontario.

operative state, it remains for me to add a few remarks, as to the sources whence the funds necessary for the purpose are to be derived.

In the first place, the meditated union of the provinces, would so far overcome the financial difficulties under which Upper Canada is labouring, as to throw on the common fund of both provinces, the charge for interest on outstanding liabilities, which the revenue of the Upper Province is singly inadequate to bear; but it could not, of itself, provide new capital, to avert, by the completion of the public works, the sacrifice of that already expended.

Premising, from the reasoning adduced, that those works if in effectual operation, would gradually reimburse their cost, the great desideratum is to raise a loan to finish them, and to provide specially for payment of the annual interest thereof, until such time, as the undertakings themselves should become profitable.

As the loan to be so raised should, to prevent *further* embarrassment, be limited to the power

of the province, to meet the yearly interest from funds immediately realizable; it follows, from the debt already incurred by Upper Canada, being sufficient to absorb an undue share of the present revenue, even of the United Province, that such revenue must, by some means or another be first augmented proportionably to the increased demand upon it.

Now, there appear to be but two practicable ways of doing this:—first, by direct taxation; or secondly, by an increase of duties on imported goods, as suggested by Mr. Poulett Thomson, in his recent speech on closing the session of the Legislature of Upper Canada; but whichever method be adopted, immigration must be made its source of nourishment.

However free from objection in itself, considering the importance of the object to be promoted, and however lightly it might bear upon them, seeing that they have never laboured under similar burdens, the former scheme might prove, from its direct application, less palatable

to the Canadians than the latter ; which, in addition to its relative advantage as an indirect tax, would obviously yield, contingent upon immigration, a more fruitful revenue, from the additional circumstance of an increased consumption of the articles yielding duty.

The older States of the American Republic have hitherto relied, as a temporary means, upon a special revenue, collected within their respective limits, for paying the interest on loans contracted for effecting local improvements ; depending afterwards on the productiveness of the works constructed, gradually to defray the expenditure upon them.

The new States, on the contrary, have depended on the sale of lands ceded by the General Government, to pay such interest pending the construction of their works ; by which arrangement the waste lands sold are brought under progressive cultivation, and replaced by objects of a profitable nature. The present embarrassment of these States, in respect of the

engagements they have contracted, does not viti-
tate this principle of action, inasmuch as those
embarrassments are attributable not to discre-
pancies between means and ends, but to enter-
prise having been carried to a wild excess.

The pernicious land-granting system so long
practised in Canada, effectually precludes, in
the case of that country, the adoption of such a
method of proceeding, even if it were desirable
further to divert the proceeds of the sales of land
from the purposes of immigration; and therefore
it is, that the only present alternatives for insur-
ing the completion of the public works are, as
already stated, a recourse to the practice of the
old States of the Republic, or the increase of
the Customs' duties.

According to printed statements* of the le-
gislation of Upper Canada, the public debt of
that province, consisting of outstanding debentures,
amounts to upwards of a million sterling,
requiring an annual provision for interest of

* Vide Appendix.

about £60,000, while the annual permanent expenditure of the civil government, amounting at a moderate estimate to about as much more; the yearly charge upon the province, may be set down in round numbers, at £120,000. To meet such charge, the utmost amount of revenue available does not apparently much exceed £70,000, so that a deficit of nearly £50,000 remains to be supplied from extraordinary resources.

About four-sevenths of the above revenue are understood to be derived from the proportion (thirty-eight and a-half per cent., or upwards of one-third) of duties levied at the port of Quebec, accruing to the Upper Province; and it is computed that the amount in question would readily be doubled (making £80,000 in lieu of £40,000), were those duties increased in the way in which they admit of being so, without any serious pressure upon the community.

Upon this basis of calculation, allowing a like ratio of increase for both provinces, the

amalgamation in a common fund, of future pecuniary means consequent on the union of the provinces, would create, at a low estimate, a special revenue derived from import duties alone, of £200,000. Assuming, therefore, a loan of a million sterling for the objects mentioned, to be negotiated on the credit of the united provinces (under the guarantee of England, if necessary), it is obvious that ample means would be available for defraying not only the interest it might bear (say five per cent.), but also the interest accruing on the debt actually incurred; while the surplus might become a reserved fund, for the redemption of the debentures representing the latter, according as they became due.

On the other hand, the duties levied for this special purpose might be gradually relaxed, as the public works, completed by their means, became productive, by yielding tolls. As compared with similar and also other duties levied in the United States, this temporary burden on

trade would be very inconsiderable, and in a positive sense, it would be but lightly felt, considering how trifling are the present Canadian imposts.

As an auxiliary to this scheme of increasing the commercial revenue, another means yet remains to be spoken of, *viz.* the repeal of the law prohibiting the importation of tea into Canada from the United States, and the admission of that article on payment of a moderate duty.

It is notorious that the far greater part, say full three-fourths of the tea consumed in Canada, is smuggled into the country from the American frontier towns; and it is self-evident that on such an extensive line of open frontier as Canada presents, no effectual measures can be devised for putting an end to the practice. The low price at which the tea so smuggled can be sold, as also its better quality, forbids all competition to the fair trader who effects his purchases at Quebec; and thus a virtual monopoly is secured to the contraband dealer, which the

Canadians themselves have a direct interest in supporting. Indeed, generally speaking, they make no secret of their sympathies being enlisted on this side of the question; while it is affirmed that many persons amongst them, whose position in society would appear to place them above suspicion, are extensively concerned in the wholesale transactions alluded to.

The Canadians, in fact, from a code of morality by no means peculiar to themselves, not only see no impropriety in evading a law, which they justly consider an unwise one, but regard their transgressions of it as a merit.

I am warranted in this conclusion both by my own observation, and by conversations I have had with different parties, thoroughly acquainted with the subject, and who possessed ample opportunities of acquiring correct information in relation to it.

But to facts of detail, corroborative of the foregoing premises.

Common black and green teas are sold on

the average at 2s. 6d. currency per lb., have very few consumers in Upper Canada beyond the poorer classes in the towns; while the demand for old hyson and gunpowder teas, sold retail at the respective prices of 4s. 4½d. and 5s. currency per lb., is also very limited. What, then, is the description of tea in general use in Canada? and whence is it supplied? are questions that naturally suggest themselves. It is a sort of young hyson, of tolerably good quality, costing from 3s. to 3s. 6d. per lb. to the consumer; and must, from the latter circumstance alone, even if popular testimony did not prove it, have been procured from the United States through the intervention of smuggling.

Now, such tea is to be purchased to any extent, along the American line of frontier, at from 1s. 9d. to 2s. 3d. per lb.; the difference between these sums and those first stated, constituting the profit derived from the contraband transaction, and being generally divided between the smuggler and the dealer. The way in which

the smuggled tea is generally paid for, is in return cargoes of deal planks, a staple produce of the country; nor is such mode of payment confined to the illicit article alone, being extended to various imported commodities of legitimate commerce, which is said to be steadily increasing between the two countries.

On my journey homeward from Toronto, I availed myself of a brief sojourn, in two or three of the frontier towns to make some inquiries relative to the smuggling of tea, and soon learned sufficient to have convinced me, had doubt before existed in my mind, of the general accuracy of my previous information on the subject.

I had besides, on one of these occasions, ocular demonstration of a part of what I wished to ascertain.

I chanced to be standing at the door of one of the hotels, conversing with the landlord, when a large country waggon heavily laden with chests of tea drove up; at sight of which, my companion's eyes glistened, and forthwith a close

parley ensued between him and the driver, apparently as to the place where it should be stowed away. On his rejoining me, I said carelessly, as though the thing were a perfect matter of course, "I suppose that is intended to rejoice your friends on the other side?" He smiled significantly in affirmation of my surmise; presently adding—"I guess you've hit it, but the nights are not yet favourable." That is, they were too moon-light.

Tea is not the only article that is smuggled into Canada from the States; but it is the chief, and also the most profitable one, constituting in fact the whole nucleus of the system.

Formerly, the importation of tea was permitted under Canadian Acts, which have been long since repealed by a statute of the British Parliament.

For some time afterwards, tea was subject to a duty in the United States; but such duty having been within these last few years, entirely withdrawn, the check it placed on smuggling has, of course, also been removed.

There are many warm advocates in Canada for the repeal of the prohibitory law, and the enactment, in its stead, of one authorizing the admission of the nominally excluded article, at a low rate of duty; nor can there be a question that a very considerable revenue might be derived therefrom. Strong representations as to the impolicy of the present law have also been made to the home government by the provincial legislature; but, as far as I have heard, such representations have not produced any satisfactory result.

I am not prepared to offer an estimate of the quantity of tea, that is annually consumed in Canada; but such consumption must be very great; since the habits of the rural population assimilating in this, as in many other respects, more to those of the Americans than of the English, lead them to drink tea with almost every meal they take.

As regards the ordinary sources of Canadian revenue, the little I have to say respecting them,

may have already transpired through other publications, but it is nevertheless expedient that the subject should receive in this place a passing notice.

Both Upper and Lower Canada, are entirely free from any thing savouring of direct taxation.

The funds constituting the ordinary revenue of the first, are (as already mentioned), chiefly derived from a participation in the duties levied at the port of Quebec; from duties on imports from the United States (about £10,000 per annum); from interest on loans for public works; from harbour dues and canal tolls; from duties on licenses for the sale of spirituous liquors, as also for distilling; from fees on militia commissions; from fines; and from various incidental sources. The casual and territorial revenue is mainly derived, from the produce of sales of crown lands and timber; rents of crown reserves, rents of mill seats, ferries, &c., and from the annual payments of the Canada company referred to in the preceding chapter.

In Lower Canada, the public revenue is derived from the crown duties levied under certain Imperial Acts; from local duties in many respects similar to those of Upper Canada, and like them levied under Provincial Acts; and thirdly, from the casual and territorial revenue.

This last fund, it will be remembered, was ceded to the provincial legislature in 1831, in accordance with the recommendation of the Canada committee of 1828; and thus another dangerous weapon was placed in the hands of the Anti-British faction, who lost but little time in resuming by its means, their former hostile attitude.

Of the fund conceded, the annual portion applicable to the purposes of a civil list, independent of any vote from the assembly, was estimated at £28,000; and the following appropriations from it appear to have been suggested, though I am not aware how far they were identical with those actually made:—

CIVIL LIST.

159

Salary to the Governor	£4,500
Ditto to the Judges.....	10,000
Gaols and Maintenance of the Peace	5,000
Salaries of Executive Councillors ...	900
Salary of Civil Secretary.....	500
Contingencies of his Office.....	500
Attorney-General's Salary	300
Solicitor-General's Salary	200
Law Officers' Contingencies	1,800
Judges' Circuit Allowances.....	375
Pensions	550
Retired Allowances	112
Expenses of Managing Crown Lands and Revenue	2,400
	£27,137

By the suspension of the constitution of Lower Canada consequent on the insurrection, the casual and territorial revenue of course reverted to the crown.

The strong objection which obtained to placing the crown revenue of Lower Canada, at the dis-

posal of the French Canadian Legislature, cannot be considered to exist in the case of vesting it, conjointly with the like revenue of Upper Canada, in the future legislature of both Provinces, under the measure of the union, assuming that union to be properly carried out; and it is to the interest of the Canadian people to secure the transfer, even at the price of a heavy civil list, in order that the whole revenue and expenditure of the country may be brought under their own management, as also under one system.

CHAPTER IV.

Canadian Banks and Banking.—Suspension of Specie payments.—Rural mode of Barter.—Anomalous state of the Provincial Currency.

IN a former chapter on the affairs of Lower Canada, I took occasion, incidentally, to advert to the subject of the suspension of specie payments by the banks there, consequent on the general suspension which a great commercial crisis had just before necessitated throughout the United States.

I now proceed to offer a few remarks on this interesting topic, conjointly with other matters having reference to the Canadian banks in general.

Banking, as practically understood in Lower and in Upper Canada respectively, exhibits, by general assent, very striking shades of difference.

In the former, though susceptible of much improvement in matters of detail, it assimilates in a great degree with the system pursued in England, that is, it is essentially commercial in its character: in the latter, on the contrary, it is quite peculiar to itself.

The banks of Lower Canada are for the most part conducted as though they were intended to be a source of mutual advantage to the proprietors and the public; while, on the contrary, those of Upper Canada may be said to be so conducted, as to render the advantage altogether one-sided, and to induce almost a belief that they were never intended for the public benefit.

It is of consequence to dwell on the proceedings of the banks of Upper Canada, as contradistinguished from those of similar institutions in the Lower Province, because to the first may fairly be ascribed much of the general pecuniary embarrassment under which Upper Canada has long been labouring.

When, in the early part of 1837, great com-

mercial difficulties, followed by a general suspension of specie payments, took place in the United States, it was foreseen by experienced men on both sides of the Atlantic, who really understood the bearings of the question, that the monied institutions of Canada must, *ex necessitate*, follow the example, if it were deemed a worthy object to preserve from utter prostration, the local commercial community, and consequently, the numerous classes whose prosperity was dependent upon theirs.

There were, however, these striking points of difference in the circumstances of the two countries: that in the United States, the previous bankruptcy of the merchants occasioned the bankruptcy of the banks; or rather that their mutual improvidence, arising from a spirit of enterprize far exceeding the utmost means to meet it, even by forced measures, had produced the insolvency of each other: whereas, in Canada, the measure of suspension was imperatively called for to save both the banks and the

merchants from the fate which had already overtaken their American contemporaries.

Furthermore, the step was not required to confer immunities from the consequences of past imprudence, but solely as an act of preservation against the effects of error elsewhere committed; which effects could not be averted by any other means. In a word, it was as necessary to this end, as the shifting of the helm to insure a vessel's safety in the vicinity of a lee-shore, or the erection of a dyke to stay the progress of a fierce inundation.

To suppose that monetary or commercial transactions could go on smoothly in Canada when they were suffering extreme derangement in the United States, was something like supposing that the general bankruptcy of London would not exercise a controlling influence over the affairs of the whole civilized world. Nevertheless there were theorists in Upper Canada whose conclusions must have been deduced from some such arguments as these, to account

for the course of policy they advocated on this occasion.

The real question for the Canadian banks to consider was, whether they should suspend with their coffers full or empty: the first being a matter of choice and precaution, to preserve what they had: the second being one of compulsion and necessity, when there should no longer be any thing to protect. In the one case the banks saved the commercial community with advantage to themselves; while in the latter they sacrificed it without deriving the least possible benefit whatever.

The point at issue was speedily decided in Lower Canada, by the banks consenting to suspend, in compliance with a requisition to that effect made to them by the community, though virtually, they incurred the forfeiture of their charters by so doing; but as there was no legislature* to control them, and the Government

* The House of Assembly was fortunately, at this time, in a state of practical abeyance.

did not oppose itself to the general wish, they were enabled to act at once with decisive energy. In the Upper Province the apparent indifference of the banks to the interests of the community, or the control to which they were subjected, caused, unfortunately, an opposite course to be pursued, and thenceforth, all was confusion.

The position here assumed, cannot, perhaps, be better illustrated than by supposing that the banks of Lower Canada had refused to suspend, and by then applying, in a positive sense, such hypothetical argument to the case of Upper Canada, where no timely suspension took place.

The balance of trade being at the time, as it generally is, in favour of the United States, and also susceptible of increase by fictitious means, an immediate drain of specie for exportation would have been the consequence, and hence a sudden contraction of the circulation within narrow limits.

Though large in the aggregate, and amply

sufficient for all present purposes, had self-protection been the only object of the banks, the stock of specie in their vaults would have been quite inadequate to enable them to meet their circulation and afford coevally to the mercantile community, the usual extent of accommodation. To re-issue notes under such circumstances, even if a fresh supply of specie had been readily procurable, would have precisely resembled the operation of attempting to carry water in a sieve.

Nor was this all. The merchants being more largely indebted to the banks than were the banks to the community, could not have sustained themselves under the twofold pressure of the demands that the banks must have made upon them for the liquidation of their liabilities in specie, had they themselves been pressed, and the difficulty of finding means to carry on the transactions. Lastly, the stock of specie on hand, if once exhausted, *could* not have been replaced from the usual place of supply, New

York ; and thus, the banks, after being the instrument of the ruin of the mercantile community, *must* have suspended, sooner or later, from a positive want of means to pay on. The suspension, therefore, in lieu of being an indication of insolvency, was essentially the medium through which insolvency was to be averted.

When it is considered how closely interwoven are the commercial affairs of the two provinces, and that the trading community of Upper Canada was indebted to the Montreal and Quebec merchants, in the same proportion that these were indebted to their local banks, the consequences may readily be imagined, of two sets of banks acting upon entirely different principles ; or rather, of one set acting upon a right principle, and the other set upon no principle at all.

Rendered reckless by the manner in which their interests had been sacrificed, through the erroneous course of policy pursued by their monied institutions, the Upper Canadians became comparatively indifferent as to meeting their engage-

ments with their creditors, and saw, with scarcely an effort to prevent it (though none would have been successful), an immense amount of their paper returned dishonoured to Montreal.

To obviate this, in some measure, the bank of Montreal had liberally furnished to the banks of Upper Canada (whose issues were now very greatly contracted), a supply of its own notes, to be paid in fresh discounts in the latter province, so that they might subsequently come down again from thence as remittances; but all was unavailing effectually to alleviate the general pressure, or to allow the mercantile community of Upper Canada to retrieve its credit.

Though reeling beneath the heavy blow inflicted on them by the commercial bankruptcy of the Upper Province, resulting, as it must be manifest, far less from the positive insolvency of individuals, than from the erroneous policy of the local banks, the merchants of Lower Canada were nevertheless enabled, with but few exceptions, to sustain themselves by means of

the liberal support of their own monied institutions, and the lining of their credits upon England to their uttermost limits.

I must here qualify a previous observation, admitting by implication of the interpretation, that entire unanimity prevailed amongst the Lower Canada banks in their proceedings on this occasion. Such was not the case, though the exception was so trivial as to be scarcely worth recording, were it not that it may serve to illustrate a further object.

There was one bank, of recent establishment, which opposed itself to the general system, and made a merit of continuing to pay in specie; when the fact was, as every one knew, that the extent of its liabilities consisted in nothing more than the balances of a few personal accounts. It procured for itself an unenviable notoriety, and lost, during many months afterwards, all the benefits it might have acquired and conferred as a bank of issue, which it was seeking to become: moreover, in order to avoid the alternative of discontinuing its business altogether, it was even-

tually driven to the mortifying expedient of aiding to circulate the notes of the very institutions whose proceedings it had affected to stigmatize as fraudulent! More experienced and better conducted, those institutions laughed at its heroics, pitied its delusions, and benefitted by its folly; while the majority of its customers, shrewdly profiting by the opportunity senselessly afforded them, withdrew their little balances in specie, in order to sell such specie at the premium it commanded.

Comparing small things with great, we see in the false position in which this helpless bank stood placed by its own act towards its powerful local contemporaries, and towards the public at large, an exact type of the false position (in a financial sense) in which the feeble province of Upper Canada also stood placed by its own act towards not only the Lower Province, but towards the entire continent of North America.

The eminent individual* then administering

* Sir F. B. Head, Bart.

the government of Upper Canada, though clearly actuated on this as on all other occasions of his public notoriety by the most high-minded and patriotic sentiments, must be considered to have wholly lost sight of the very peculiar merits of the case under consideration, in the earnestness of his desire to offer such contrasts between monarchical and republican institutions as should be apparently humiliating to the latter.

The point contended for, that "the principle of monarchy was honour,"* might very well have been conceded, without the banking institutions of the country being made the medium of illustrating the doctrine; and, even otherwise, it would have first been requisite that those institutions should have been what in effect they were not—state property—before the argument adduced could in any way be tenable in regard to them.

At any rate, judging by results, the axiom

* Montesquieu—"Esprit des Lois."

propounded would now be worth nothing, were the standard by which it was measured in the case of Upper Canada, as above exhibited, a correct one; since, in effect, the banks of Upper Canada, after struggling for a short time against the common interest and wish, were at last compelled, as all acquainted with such matters predicted that they would be, to solicit permission to suspend their payments in specie, from sheer inability to continue them. Their request was accordingly complied with, on certain conditions; but the remedy came too late to be of service to the community, and answered only the selfish purposes of the banks themselves.

In the summer of 1838, the necessity which had originated, and which justified the suspension of the Canadian banks, having ceased, by a general resumption of cash payments in the United States, the suspension itself also ceased in Lower Canada, where the banks voluntarily resumed their former mode of business.

Not so, however, in the Upper Province. The

banks there, having now tasted the sweets incident to their new position, became so enamoured of them, that they as pertinaciously resisted the general clamour to resume, as they had before resisted the general desire that they should suspend ! They therefore *again* stood in an entirely false position towards the sister province and the neighbouring States ; exhibiting themselves *this time* in the character of positive insolvents, when all around them were in a situation to meet their liabilities.

This persistence in a twofold error added greatly to the general perplexity ; inasmuch as the notes of the Upper, were not receivable in the Lower Province, unless at a rate of discount which alike forbade their being sent as remittances or taken in deposit.

Again, therefore, had the Lower Canada merchants to sustain the serious inconvenience of foregoing the present realization of their assets in the Upper Province, owing to the proceedings of its banks.

But though these institutions were enjoying the full immunities conferred by the measure of suspension, they did not a bit the more extend to the community at large any commensurate increase of accommodation. They temporarily enlarged their issues, it is true, in the purchase of provincial debentures and commissariat exchange; but the notes so put in circulation, when repaid to them in the way of business, were not reissued in the shape of discounts, to an extent at all corresponding with the legitimate demand.

They had an interest, apart from that of the community, in continuing the suspension after the justification of it had ceased; because it yet remained for them to realize large profits on exchange transactions, to be derived from the funds they had accumulated in London by the sale of the remittances referred to.

During the period of their suspension the banks of Lower Canada also realized large profits on exchange transactions, the drawing

rate of premium averaging at intervals for some consecutive weeks at least twenty per cent., or a fifth part; but in this case the pressure, though heavy, was less felt, because the facilities for meeting it were greater, while the practice was not attempted to be prolonged by any artificial means.

But in Upper Canada, long after the justification of the suspension had ceased, the amount of discounts afforded, was made in a great measure to dovetail with the demand for exchange or the desire of the banks to draw: if the demand were brisk, the price was run up, and discounts regulated accordingly; but the stream of continued accommodation imperatively required, so far from being allowed to flow into its proper channels, was checked or expanded by the most capricious motives. For a considerable period indeed, the bank of Upper Canada would not draw at all; but kept as it was said, a very considerable portion of its capital locked up at interest in London, thus positively subtracting it from the province where alone it

ought to have been employed. Subsequently, however, when a resumption was rendered unavoidable, this bank imported a large amount of British gold.

It may naturally be asked why, if there existed a Provincial Legislature, no interposition of its authority took place, to preserve the community from the effects of these most unnatural proceedings? The answer to such inquiry may readily be furnished. Considering the materials of which the legislative bodies of Upper Canada are composed; that the members of those bodies being for the most part, persons engaged in agricultural and commercial pursuits, who are more or less dependent on the banks; and further, that many among them are concerned in the management of those institutions, possessing in them large vested interests; but little surprise need be felt, at the perfect impunity with which the banks were enabled to carry on their pernicious system, in defiance alike of public opinion, common justice, and common sense.

Plausible pretexts were never wanting to insure the extension of the privilege of suspension from session to session, by means of the sympathies and influences to which allusion has been made.

The only instance in which this power can be considered to have been judiciously exercised, was on the occasion of the measure of suspension being again resorted to in the Lower Province, towards the end of 1838; not, however, from commercial, but from political causes, and as a powerful means of checking the designs of the insurgents in the second insurrection.

By mere accident, the banks of Upper Canada found themselves this time, in a right position; but their consistency was of short duration; since, four or five months afterwards, when all immediate danger had disappeared, they refused to resume simultaneously with the Lower Canada banks, and persisted in their old course of error, until November 1839, when their privilege having ceased, and there being no Legisla-

ture assembled to protect them, they were compelled, much against their inclination, to meet their engagements.

But the effects of their past conduct were not very easily to be remedied; and Upper Canada will long suffer from them.

It is due to the other institutions to say, that the bank of Upper Canada was, according to public testimony, on all occasions, throughout this interesting period, the *main* obstacle to the adoption of a right course of proceeding; and that the commercial bank of the Midland District evinced a far greater disposition to act in unison with the public wish, but could not attempt to do so singly.

Of course, the great advantages secured by a timely suspension of specie payments in Lower Canada, were not unattended by some minor drawbacks. Of these, the most conspicuous was the abuse of the practice resorted to by individuals of issuing, for the purpose of circulation as money, their own promissory notes for the frac-

tional parts of a dollar, varying in amount from 3d. to 2s. 6d. currency.

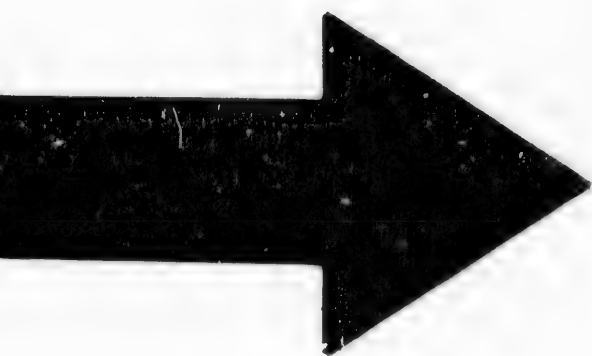
This practice which originated in a desire of some members of the mercantile community, to subserve the public convenience, degenerated in many cases into fraudulent acts; notes with forged or fictitious signatures being issued by worthless persons who passed them off as genuine on the unwary. A considerable profit, too, must have been realized by the issuers in general, as the paper whereof the notes were made soon became tattered, and their trifling value caused their preservation to be little heeded. Many of them were very tastefully executed.

I subjoin as curiosities in their way, specimens (in so far as the mere letter-press is concerned,) of two denominations which I chance to have by me, of the order of the *legitimate* "shin plasters"* first mentioned.

* The familiar appellation given to the notes in question.

15d.	BAS CANADA <i>A Demande, pour</i> <i>promets payer au</i> <i>courants des BANQUES</i> <i>sous en sommes</i> <i>Piastre. On demand for value recei</i> <i>pay to BEARER in current BANK NOTES of this City, ONE</i> <i>SHILLING and THREE-PENCE currency, in sums not less</i> <i>than Five Shillings.</i> MONTREAL, 20th July 1837. Ent^d. _____ (Device of a Beaver.) (Signature.)	QUARTER No. _____ B DOLLAR. <i>valeur reçue, Je</i> <i>porteur, en E</i> <i>de cette Ville TRENTÉ</i> <i>de pas moins d'une</i> <i>I promise to</i>	30 SOUS Device of a Cupid with flowers. Device of a Cupid with flowers. 30 SOUS
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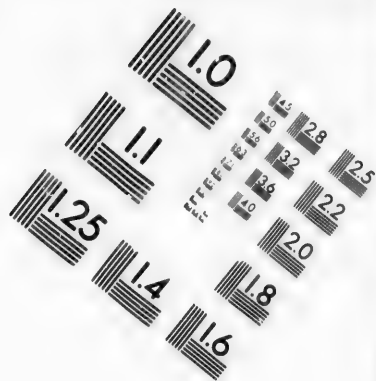
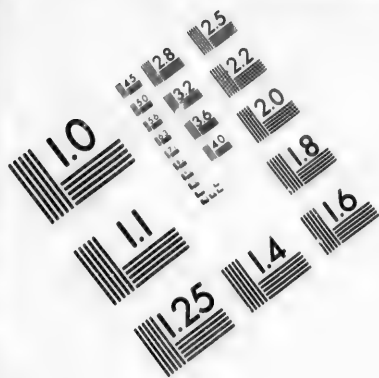
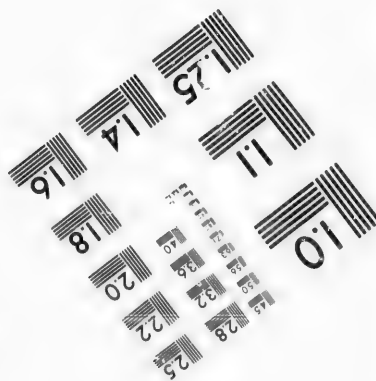
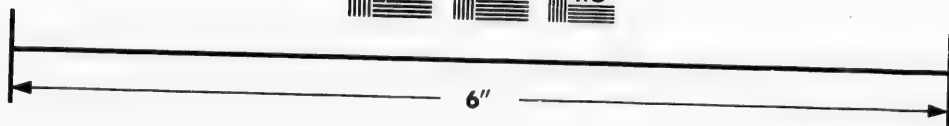
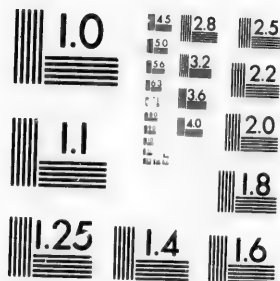


IMAGE EVALUATION TEST TARGET (MT-3)



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SIX SOUS

GOOD  **FOR**
Three *Pence.*

BON POUR 6 SOUS.

Montreal, 10 July 1837. 3d.
(Signature.)

CUVILLIER & SONS

The voluntary suspension of specie payments by monied institutions can, of course, be as little advocated, in an abstract sense, as recourse to so extreme a measure can be held justifiable on every occasion when a state of temporary financial difficulty may seem to call for its adoption. But there are cases when it becomes not only a justifiable, but a prudent act; nor can such cases be more strongly exemplified than in the circumstances which led to the suspension of the Bank of England, towards the close of the last century, and in those which occasioned the two-fold suspension of the Canadian banks in 1837 and 1838.

If a country be threatened with a drain of the precious metals from without, by the employment of unnatural means, it has a perfect right to place itself in a posture of defence; and, as a general rule of action, what the necessity requires, it justifies.

It has been shewn, that in Upper and in Lower Canada respectively, the suspension of

specie payments worked very differently; but the causes of this anomaly have also, as I trust, been satisfactorily explained, without the aid of further illustration.

As regards the ordinary transactions of banking in the two provinces, they may be briefly described. In both, as is generally the case where monopolies prevail, the profits are very large; the proprietors dividing among them, on the average, an annual dividend of eight per cent., with occasionally a considerable bonus.

The fixed rate of interest charged by the banks on all transactions is six per cent. per annum; but, with the exception of one lately instituted, they allow no interest on deposits of any kind; and those at the bank of Montreal alone are said to vary between £200,000 and £300,000, including the Government deposits and also the sheriffs' balance, but not mere drawing accounts. Protested bills of exchange on foreign countries bear ten per cent. damages; while, by an old French law, dishonoured bills

of the Lower Province on the Upper, bear four per cent. damages. During the great pressure on the Lower Canada merchants, consequent on the occurrences I have been describing, the banks liberally remitted, in most cases, the damages in question, or exacted only the half of what they had a right to claim.

The difference between the respective rates of exchange on London, in Canada, and New York, is generally the rate of drawing of the Canada banks on the latter city; though this rule often admits of exceptions, according to the demand for exchange in either place. They generally draw on London at sixty, and on New York at ten days' sight.

New York being sometimes a better market for the sale of Canada exchange on London than Canada itself, such investments are often made there; and, being drawn against, yield by the twofold operation a handsome profit, independent of bearing interest during the time they lie dormant. Bills payable in various parts of the

United States, are also sent to the New York agents for collection; the proceeds being drawn for, as in the former case.

The banks further procure from New York their usual supply of specie; but, in winter, there is frequently a difficulty attending its transmission. The whole cost of transport, when the specie is forwarded by contract, covering every risk save that of navigation, is about the half of one per cent.; but the banks more frequently content themselves with sending a trusty messenger to fetch it, at their own risk, and the cost is then much less.

Formerly, it was the custom of some of the Canadian banks to redeem their notes in New York, by means of their agents there, but they no longer do so.

In round numbers, the present aggregate banking capital of the two provinces may be estimated at about a million and a half sterling; whereof, about two-thirds belong to Lower Canada. About a fourth part of the stock of the

City Bank of Montreal is, or at least was, owned by persons resident in the United States.

Of the aggregate amount of notes in circulation in the two provinces, I have no means of judging with any degree of accuracy; but the aggregate amount of capital will furnish some criterion whereby its probable proportion may be estimated.

The Bank of Montreal is, by common assent, the best conducted institution of its kind on the whole North American Continent, and enjoys, in many respects deservedly, a high degree of popularity.

I know not if it be the case with this establishment, but many of the Canadian, like the New York banks, have the reputation of frequently increasing their profits by selling exchange for credit; taking a higher rate of premium than would be required for cash, and charging interest on the paper received in payment in addition to the usual discount.

With respect to discounts generally, there is

this difference in the mode of proceeding practised in the two provinces,—that in Lower Canada, a man is drilled to a habit of punctuality in meeting his engagements, from which he cannot swerve, if he wish to preserve his credit : whereas, in Upper Canada, such is the prevailing laxity, that few consider it a duty to provide for their liabilities at maturity, and think but little of their paper remaining overdue in the banks until they are sued for the recovery of it ; when, in nine cases out of ten, they effect a compromise.

Under scarcely any circumstances, does an Upper Canadian think of retiring when due, by payment of the *full amount*, the note or bill, which, having been discounted, is held against him by the bank.* The most that is to be obtained from him is a third or fourth part with a renewal for the remainder ; by which means he procures a fresh lease ; and he is sometimes un-

* The Canadian banks do not circulate the paper which they discount.

conscionable enough, at the expiration thereof, to demand a repetition of the process, even for a very trivial sum.

The banks are themselves much to blame for the prevalence of this miserable system ; but having tolerated it in the first instance, they have lost the means of checking it, unless by obnoxious measures.

Its evil consequences are obvious : it not only induces the general want of punctuality aforesaid, on the part of the community, but it confines bank accommodation to the same circle during one-half or two-thirds of the year, thereby preventing others from receiving assistance in their turn ; and leads, moreover, to a very baneful system of favouritism.

The case is very different in Lower Canada : a bank debtor is afforded every reasonable facility to meet his engagements ; but failing to meet them so as to cause his credit to be impaired, he forfeits his former advantages.

One very profitable branch of banking busi-

ness peculiar to Upper Canada, is that of cashing letters of credit on the Lower Province.

The merchants of the latter, who effect large purchases of Upper Canada produce, such as lumber, flour, &c., are accustomed to make advances, bearing interest, to those with whom they deal, on account of prospective consignments, in the same manner as is usual with British and New York merchants in regard to the cotton and tobacco growers of the Southern States.

A letter of credit for a given sum, in favour of a particular individual, is lodged at one of the local banks, and drawn against in such sums as may be agreed upon, the drafts being generally at ninety days' date, and payable at Montreal. By this process the bank obtains the usual rate of discount, the half of one per cent. for agency, and is enabled, by remitting the drafts for collection in Montreal, to draw against the same, on the strength of its credit there, at a further profit of a quarter or sometimes half per cent. The only off-set against this lucrative

combination is, that the bank pays to its correspondent a quarter of one per cent. for agency, and also interest if its account be overdrawn beyond a stipulated limit.

Now, what between the bank and the Lower Canada merchant, the Upper Canada producer labours under very great disadvantages; but in order to raise money, he is compelled to accept it on the conditions mentioned, or deprive himself of a ready market for his commodities.

Were capital more abundant around him, so that he might obtain it with facility on the security of his sterling means, his position would be very greatly ameliorated: inasmuch as he could secure to himself the full fruits of his industry, and cease to be dependent upon others.

In various parts of Upper Canada, remote from the neighbourhood of towns, a curious primitive sort of trade is carried on by the inhabitants among themselves, with scarcely the intervention of money except as it serves as a stand-

ard for regulating the relative value of the commodities which they have to barter.

For instance, one man has a superfluous yoke of oxen which he wishes to turn to account; while another wishes to obtain them, but has not by him such articles as the first will be likely to accept in exchange.

The alternatives of each party would consequently lie in disposing with the coveted object altogether or purchasing it with cash, and the last could not be done without incurring sacrifices to which neither would be willing to submit.

But the barter system soon overcomes the difficulty. The bidder for the oxen goes to a third party, and procures from him, through the medium of a mutual interchange of commodities, advantageous to both, such articles as he knows the owner of the cattle will accept; and thus, by a very simple process, three individuals become accommodated each with what he wants.

The system admits of great variety, and prac-

tically, some of its ramifications are very complex, requiring almost as much forethought, tact, and ready calculation, as abstruse operations of exchange.

The nicest distinctions are made between what are termed cash articles—that is, articles commanding cash if taken to market; and articles less readily convertible. The first obtain, of course, the better prices; and in the barter, the difference of value when not made up in quantity, is settled by an equivalent in money; a further allowance being made in this case for the relative value which money bears.

Cash, though rendered by this process a mere commodity, is nevertheless, from its higher value, of the same advantage to its possessor, if he manage it judiciously, as the holding (to use a homely simile) of a governing card at the game of whist.

In newly-settled districts, a person owning land, who employs labourers upon it, can, if he possess sufficient capital (and but little is re-

quired) to maintain a miscellaneous store, repay in kind all the value he receives in labour, with scarcely the disbursement of a single dollar to his workmen; while, moreover, he possesses the advantage of realizing the usual profit on retailing goods purchased at wholesale prices; and which, in most cases, will have been paid for by bills at lengthened dates.

Thus, the same individual may combine the occupations of an agriculturalist, a miller, a merchant, a retail trader, and a money-broker, with great advantage both to himself and others, in places where bank accommodation is not readily to be procured.

It is apparent that such a traffic as the one described is peculiar to a new country, and that the system, necessarily circumscribed, must give way in proportion as capital and population increase.

In farm-labour, the resident proprietors who have no store, generally prefer employing single, to married men, because they can lodge them in their dwelling, and board them on the produce

of their farm, with the payment only of a small additional equivalent in money: whereas, married men require to be remunerated almost entirely in money; and this, for the reasons stated, the farmer has frequently the utmost difficulty in procuring at the moment when he needs it, without making undue sacrifices, either on the spot or at a distance.

The evil is, that by the practice mentioned, a sort of ban is placed on marriage, the farmers virtually resolving themselves, however unintentionally, into disciples of Malthus; while, in point of fact, Canada, and particularly Upper Canada, is about the last country in the world to which even the great anti-population theorist himself would have wished to see his restrictive doctrines applied.

Having treated on Canadian banking, it may not be irrelevant to that subject, if in the same chapter, I offer a few remarks on the state of the Provincial currency, than which, by general assent, few things can be more anomalous.

Every traveller in the Canadian provinces must be struck with the wretched state of the metallic currency; nor does it appear from all accounts that in Nova Scotia and New Brunswick, or, as they are more generally termed, the Lower Ports, the state of the case is much, if it be at all, better than in Canada.

It was, I believe, in the course of 1825, that the present British coinage of crowns, half-crowns, shillings, and sixpences was introduced into Canada, through the medium of the commissariat, at which time also, the rate of army pay appears to have been fixed at its present value of 4s. 4d.* to the Spanish dollar, in lieu of 4s. 8d. as theretofore.

It would seem, however, that such coinage did not obtain an immediate circulation to any extent, owing to the low rates, as compared with the current rates of drawing, at which, from some peculiarity in the Treasury arrangements,

* In virtue of an Order in Council, dated 23rd March

commissariat exchange was to be purchased, and which held out inducements to speculators to collect the silver as soon as it was issued, for the purpose of investing it in such negotiable securities.

Soon afterwards, the provincial legislature passed an act for giving a higher value to the coins in question, so as if possible to keep them in the country ; but, according to all accounts, they formed, even then, a cheaper remittance to England or New York than drafts, at the then average rate of exchange.

On reference to the act in question, it is seen that the current value assigned to the British silver mentioned, was as under :—

			Value in sterling.		Value in currency at par.		Assigned value in currency.		
			s.	d.	s.	d.	s.	d.	
Crown piece	...	5	0	...	5	6	...	5	9
Half-crown	...	2	6	...	2	9	...	2	10½
Shilling	...	1	0	...	1	1	...	1	2
Sixpence	...	0	6	...	0	6½	...	0	7

In 1836, a further legislative enactment raised the current value of the British sovereign from £1. 2s. 2½*d.* to £1. 4s. 4*d.*—while the silver coins above specified, were also made, by the same act, a legal tender, at still higher rates than those previously fixed; the following being now their current value:—

				In currency	
				<i>s.</i>	<i>d.</i>
Crown piece	...	...	...	6	0
Half-crown	...	...	...	3	0
Shilling	...	...	...	1	3
Sixpence	...	...	...	0	7½

From this, it will be seen, that while the shilling and the sixpence bear an advance of 12½ per cent. above par, a greater proportional value has been assigned to them than to the two first denominations of coin, and that consequently they now exceed their legitimate relations as the fifth and tenth of a crown respectively, by a difference of about 4½ per cent.

Strangers in Canada are frequently much

puzzled by this discrepancy. The holder of a crown or of a half-crown piece is much surprised when he finds that he can get less in return for either of those coins than he can for their virtual equivalents in single shillings or sixpences, and the poor immigrant, in particular, is sadly bewildered at a mode of computation so novel to him.

The only satisfactory explanation that can be afforded in relation to the matter, is the fact of the dollar of the United States, (both that and the Spanish-American dollar bearing a legalized value of five shillings currency,) in lieu of the British crown, being made the integer of comparison, the shilling and the sixpence, representing, at their augmented rate, the fractional parts of the former, correspondingly with the Spanish quarters, and their halves, or eighths of a dollar. In respect of intrinsic value, the British shilling and sixpence are much inferior to the Spanish-American pieces.

The Act last referred to, as having been

passed by the provincial legislature, appears to have been rendered necessary (owing to a generally faulty system) as a defensive measure, in consequence of a previous Act of the United States' Congress rendering *gold* the standard of the currency of the Union, and considerably raising the current value of that metal. For instance, the value of the old eagle of ten dollars was augmented to the extent of sixty-seven cents; and that of the sovereign, fixed at four dollars, eighty-seven and a half cents, in lieu of four dollars forty-four cents, as formerly.

Of course, but little gold could be expected to remain in Canada in the face of this stroke of policy, unless its effect as regarded that country could be counteracted by local means; and a partially successful remedy appears to have been hit upon by the Canadian legislature in the manner already mentioned.

This Act, however, will expire in the course of the present year; and its renewal, or some efficient substitute for it, would seem to be of

urgent necessity, so long as the general improvement of the metallic currency be uncared for.

Towards the end of last year, the legal value of sovereigns was inadequate to insure their remaining in the country; and the bank of Upper Canada, which had imported (as I have elsewhere intimated) a large quantity of such coin, would not issue it under a premium equivalent to the rate of drawing on New York, which averaged at that time from two-and-a-half to three per cent.

According to a statute* of the British Parliament, the following rates were fixed as those at which coins should pass current and be a legal tender in Lower Canada :

GOLD COINS.			Currency.		
British guinea	...	...	... £1	3	4
Johannes of Portugal	...	...	...	4	0 0
Moidore of ditto	...	...	...	1	10 0
Milled Spanish doubloon	...	...	...	3	14 6

* 48 Geo. III. c. 8. s. 1.

	Currency.		
French Louis d'or, before 1793	...	£1	2 8
French pistole, before 1793	...	0	18 3
American eagle	...	2	10 0

SILVER COINS.

British crown	...	0	5 6
British shilling	...	0	1 1
Spanish milled dollar	...	0	5 0
Spanish pistareen	...	0	1 0
French crown, before 1793	...	0	5 6
French piece of 4 livres 10 sols, Tour-			
nois	...	0	4 2
French ditto of 36 sols	...	0	1 8
French ditto of 24 sols	...	0	1 1
American dollar	...	0	5 0

Of the coins enumerated in the foregoing category, the *écu* of six livres *tournois*, or old French crown, passes current at an advance of about two per cent. above its intrinsic value and its current value in the States; while the depreciation of the half-crown, forming the chief

circulating medium of the province, is somewhere about nine per cent.

Various means have been from time to time suggested by individuals or public bodies in the different colonies, for regulating the currency of each, but no uniformity of opinion appears to prevail amongst the different parties; and the only way of effecting a satisfactory adjustment of the difficulty would seem to be in the British Parliament practically assuming a similar power to that exercised by the Federal Government of the United States, in virtue of its constitutional authority, in order to establish in all the North American provinces indiscriminately, a system of currency which should substitute a general assimilation in the room of all existing inequalities.

The point on which all parties appear to be alike at issue, has reference to the rates at which under any improved system, the coins put into circulation shall pass current, and be considered a legal tender. Some contend that

the sovereign alone should constitute a legal tender; others are in favour of British gold and silver being conjointly made so, at their nominal value, without reference to amount. Others, again, advocate the addition to this last proposition, of foreign gold and silver; while others warmly advocate a purely provincial currency. Lastly, it has been suggested that "Halifax currency" should be superseded as the money of account, by "British sterling," or by "Dollars and cents," as in the United States.

All these schemes appear to be more or less open to objection; and it is difficult to hazard an opinion as to whether any one of them possess a pre-eminence over the other.

If the sovereign alone were constituted a legal tender, or were associated as such with British silver, it would seem equally liable to be driven out of circulation, since in the one case it would require the protection of a *fixed* rate of exchange to prevent its export; and in the next, would find it difficult, if not impossible, to

sustain a local competition with an associate whose relative intrinsic value is nine or ten per cent. inferior to its own.

Besides, while British silver is a legal tender in England only to a very limited extent, it would be somewhat inconsistent to place it on a more advantageous footing in one of England's dependencies.

As regards mere simplification, the assimilation of the money of account of the British provinces with the decimal system of the United States, would unquestionably be a very desirable measure, abstractedly considered; but there are many reasons which would render its adoption inexpedient, particularly under existing circumstances.

Admirable as it is, the decimal system in the United States is continually found conflicting in domestic transactions with the old method of computation, and the stranger is bothered to death by the different modes in use as to the fractional divisions of the dollar; the same, in

one place, being estimated at six shillings, in another at seven shillings and sixpence, and in a third at eight shillings. The last, being a duplication of the legal division, though very anomalous, is nevertheless the least objectionable.

To conclude. It should seem evident that whatsoever amelioration of the state of the metallic currency in Canada may be attempted, such measure, to prove effectual, must be regulated by the monetary standard of the United States, rather than by that of England.

The great evil has hitherto consisted and consists, in the fact of the generality of the coins current on the American continent at large, having different values assigned to them in the different sectional divisions of the British possessions.

So long as the various local legislatures possess the power individually of controlling the operations of their currency, so long must conflicting interests, in such respects, be expected to subsist betwixt themselves, and also between

them and the United States. Want of uniformity being the bane, assimilation must become the antidote.

To all denominations of coin, receivable in the Colonies, the same current value requires to be assigned, and this should obviously be regulated as much by the current value of such coins in the United States as by their own intrinsic value. What, also, was considered a legal tender in one province should be considered a legal tender in all, in order that exchanges amongst them might, as much as possible, be equalized.

As the case now stands between Upper and Lower Canada, for instance, the first will not receive of the last the denominations of the silver coinage chiefly current there, nor will the latter receive of the former, British silver, unless at rates below its current price in the Upper Province.

Thus each, as opposed to the other, has its separate interests, and whensoever, as is fre-

quently the case, these are brought into collision, the more paramount interests of the respective communities are sure to suffer.

Upon all general principles, a depreciated currency would seem alone calculated to induce a rise of prices and of exchange; the last to the profits of the banks alone, who have thus a sort of vested interest in the maintenance of the incongruity; while, in a word, the effectual remedy for the admitted evil, would clearly lie in the adoption of such measures as should cause the general currency to *find its level* by natural means.

The gold coin in circulation in the United States is almost entirely confined to the national coinage of that metal. Sovereigns do not generally command more than four dollars eighty-four or eighty-five cents, though their full legal value is nearly two cents more, while the French twenty-franc-piece passes at three dollars eighty-five cents, or nearly one cent below its legal value.

Spanish and Mexican dollars, with the smaller

pieces forming their fractions, are almost as common in the circulation as the United States silver itself (*i. e.* in specie paying times), and the British crown as also the French five franc-piece are often met with; the value of the former being fixed at one dollar nine cents, and the latter at ninety-three cents and a fraction, which, however, is not recognized in domestic dealings.

The gold coins of Great Britain, Portugal, Brazil, France, and Spain, are a legal tender by weight, at rates fixed by law; while most of the silver coins above enumerated are also a legal tender, in common with the American dollar, at their respective rates, as mentioned.

To the argument adduced by many persons in Canada, that a depreciated local currency is requisite to protect the commercial interests of that country, no better reply can perhaps be offered than the remark of Adam Smith, who says of a former British colony:—"The state of Pennsylvania raised the denomination of its

coin, on the pretence of preventing the exportation of gold and silver, by making equal quantities of those metals pass for greater sums in the colony than they did in the mother-country. It was found, however, that the price of all goods from the mother-country rose exactly in proportion as they raised the denomination of the coin, so that the gold and silver were exported as fast as ever."

It should, at least, seem obvious that if the balance of trade be against Canada in one quarter, it must, in the long run, be in its favour in another, for otherwise the commercial transactions of the country must come to a stand still; while, under any circumstances, a depreciated currency would seem ill calculated to facilitate the means of liquidating a specie balance.

For purposes not of a commercial nature, but for mere domestic use, a slightly deteriorated silver currency, might possibly be advantageously introduced into the country from England; while, at any rate, the introduction of a good

copper coinage is imperatively called for to replace the mis-shapen unstamped pieces of base metal that pass current as halfpence.

The bank of Montreal has lately imported a copper coinage of this kind for circulation in the Lower Province, and the banks of Upper Canada, it is but justice to observe, have also shown themselves solicitous to imitate the example for the benefit of that province; but towards the end of last year, the Home Government rejected their application for permission to have the supply they needed fabricated at the British Mint, and the matter, I believe, remains in abeyance.

The union of the Canadas must very much aid in removing the obstacles heretofore in the way of improving the provincial currency; and this being the case, it is much to be hoped that the opportunity may be profitted by at an early period.

CHAPTER V.

Condition and Statistics of the Indians.—Settlement on Manitoulin Island.—Specimens of Modern Indian Eloquence.—Indian Notions of Justice.—Indian Prophet Chief.—Indian Diving Boys.—List of Indian Names, with their English signification.

THE condition of the Indian, the aborigine of the North American continent, must excite the sympathy and compassion of every benevolent breast. How much soever his displacement may have been necessary to the ends of civilization, the Indian is not the less despoiled of his heritage, nor less an outcast in the land of his ancestors; while the loss of his former lordly independence is but ill compensated by the meagre attention that has been paid to the improvement of his moral culture and social condition.

That the Indian mind is amply susceptible of profitable cultivation, if the proper means be taken, no doubt can reasonably be entertained; and as it is only through such culture, that the habits of the Indian can be so ameliorated as to conduce to his future happiness and welfare, by admitting of his assuming a position of perfect equality in the midst of the community whereof he forms a part, it is imperatively incumbent on the government which has the management of his few remaining effects, to undertake vigorously the task of his moral discipline.

It appears to be generally admitted that the distinctive traits of nationality of the North American Indian are doomed to be gradually obliterated by one of two processes—civilization or decay; and this being the case, the real well-wisher to the future Indian generation, in lieu of seeking to prolong the hopeless struggle of gradual retirement, which must at last have a limit, would advocate as much from humanity as from justice, the systematic employment of the milder

alternative, comprised in progressive adaptation and amalgamation.

To be thoroughly happy in this new stage of his existence, the Indian must be thoroughly civilized, in order that he may be left no lingering regrets. His partial civilization only serves to vitiate him, or at best to neutralize those good qualities of his nature that would have served in his pristine state to give him eminence and distinction.

At present he is in a sort of helpless tutelage, and, to an extent, must so continue until education shall have qualified him to place greater reliance on himself.

Prepared by such means for the rational enjoyment of his social rights, he might subsequently, be left to mix indiscriminately with his fellow-men, and to assume the administration of his own affairs.

The peculiar tenure of the Indian lands, now possessed in common, might then be superseded, and the Indian placed in all respects, as regards

freehold privileges, and the enjoyment of all civil rights, upon a footing of perfect equality with the members of the great family into which it is desirable, for his own sake, that his race should merge.

The half-breeds, or *bois brûlés* as they are termed, have, generally, the reputation of being a very intelligent race of people, and are said to combine, in a singular degree, the very highest qualities of the two different races from which they are descended.

Several individuals of this caste hold, as I have heard, prominent positions in the province; one of them being, I believe, a superintendent of Indian affairs, another a practising physician, and a third, combining the office of a district clerk of the peace with the command of a militia regiment; while others are employed as preachers, schoolmasters, and interpreters, among the tribes.

Throughout the troubles which have marked the history of Canada since the winter of 1837, the Indians, with few exceptions, have proved

themselves to be true and loyal subjects of the British Crown, and have uniformly withstood the numerous attempts to tamper with their allegiance that have notoriously been made.

Their loyalty and courage were, in particular, conspicuously manifested at the commencement of the second insurrection in Lower Canada, when, as most persons will remember, a few Indians of Caughnawaga captured, and conveyed as prisoners to Montreal, a large party of French Canadian rebels, who had made an attack upon their village while they were congregated in their place of religious worship.

Besides this, many other instances of their readily coming forward in those times of danger might readily be adduced; and the case of the old Indian, mentioned in the fifth chapter, will suffice for one of them.

It has been made a matter of complaint by persons in England, unacquainted with the peculiarity of local circumstances, that the Indians in Canada should be employed in a military capacity. But why should they not be so employed?

Their mode of warfare is no longer of the savage nature that it was, and, practically, they are as much susceptible of discipline as a militia force.

Moreover, they have an interest in defending the country, fully equal to, if not indeed surpassing, that of other classes of the community ; since they see, in the cruel treatment of their brethren by the Americans, the fate in store for themselves, should they fall under the dominion of the same masters.

Low, therefore, as may be the standard of their present moral condition under British sway, it would fall still lower by the transfer, while their physical comfort would be utterly destroyed.

Sound policy would also dictate their employment as auxiliaries to a military force, in case of emergency ; since their *amour-propre* would be deeply wounded by the invidious doubts which their exclusion from military service must imply ; and, how loyal soever they might be, it would be unsafe to leave them, in the midst of

warfare, in a state of inactivity while labouring under irritated feelings.

We need apprehend no desire on the part of any of the Indians, save the very wildest tribes, to act cruelly towards their prisoners, as in former times; nor anticipate the repetition of the scornful reply said to have been once made by a Huron chief to the commander of a body of his French allies, when asked to give up his prisoners:—"If you want them, you had better take them; I know how to chain others; and should I die in the attempt, the people of my village will say that it was Ononthio* who killed me."

In 1837, a very able and elaborate report on the state of the Indians dwelling in Lower Canada, as also on their affairs generally, was made to the Earl of Gosford, by a committee which had been appointed to investigate those subjects. The report contained many valuable

* This appellation, meaning, I believe, Great Mountain, was the title generally given to the representative of the French King in Canada.

suggestions for improving the condition of those Indians; but memory alone, which is all that I have to rely upon in relation to them, does not enable me to advert to them in more especial terms. The condition of the few remaining Indians of the once-powerful tribe of the Algonquins, who chiefly inhabited the country below Quebec, and also parts of the country between that city and Montreal, was, if I remember rightly, represented by the committee to be most lamentable. They were said to possess scarcely any fixed means of subsistence, and to be almost entirely dependent upon eleemosynary aid for their support.

The amelioration of the condition of these poor people was advocated by the committee with much warmth and feeling.

From a schedule attached to the report referred to, it appears that the number and the designation of the Indian tribes dwelling within the precincts of Lower Canada about the period in question, were in accordance with the subjoined statement:

TRIBES.	Men.	Women.	Children under 14 years of age.	Total.
Iroquois of Sault St. Louis	268	283	381	932
Ditto St. Regis	105	109	167	381
Abenakis of St. Francis	98	111	221	430
Ditto at Three Rivers	35	44	40	119
Algonquins	87	94	117	298
Nepissingues	79	95	90	264
Iroquois of the Lake of the Two Mountains	86	101	113	300
Hurons of Lorette	63	78	78	219
Algonquins of the District of Three Rivers..	22	28	21	71
Tête de Boule Indians	9	6	13	28
Amalacites of the Settlement of Rivière Verte	35	33	37	105
Micmacs of Ristigouche and Gaspè	138	143	149	430
Wandering Amalacites, Micmacs, and others	33	33	32	98
Totals	1,038	1,158	1,459	3,675

Totals	1,058	1,158	1,459	3,675
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According to the same schedule, the following are the fixed means of subsistence of which certain of the tribes in question were possessed :

TRIBES.	Extent of Land owned.	Where situated.	Proportion under Cultivation.	Estimated Revenue.
	ACRES.		ACRES.	
Iroquois of Sault St. Louis	40,000	Sault St. Louis	2,230	\$750 to 800
Pitto St. Regis	50,000	St. Regis Reservation ..	360	350
Abenakis of St. Francis	{ 12,000	On River St. Francis }	250	60
Abenakis at Three Rivers	{ 8,900	Township of Durham }	50	70 to 75
Algonquins, Nepissingues, and Iroquois of the Lake of the Two Mountains	260	{ Seigneurie of the Lake of the Two Mountains }	40	80
Hurons of Lorette	1,640	Lorette and Seigneurie of St. Gabriel ..	70	
Amalacties of the Settlement of Rivière Verte	3,000	Rivière Verte		

From what precedes, it would appear that very little more than two and a half per cent. of the whole extent of the land owned is under cultivation.

The following statement, compiled from the official returns of the Indian Department, shews the number of Indians dwelling within the limits of Upper Canada :

Chippewas of Michipicoton, Lake Superior	57
—— Sault St. ^e . Marie, Lake Huron	99
—— St. Joseph's, — ...	90
—— Manitoulin Island, — ...	188
—— the country between Mani- toulin Island and Penetan- guishine	202
—— Lake Nepissingue	59
—— La Cloche and Mississau- geeng	225
—— the Upper St. Clair ...	312
—— the St. Clair Rapids ...	401
—— Chenal Ecarté	194
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Pottawotamies and Chippewas of Saugueeng, Lake Huron	370
Hurons, Chippewas, Shawnees, and Munsees of Amherstburgh and Malden ...	214
Delawares, Chippewas, and Munsees of the River Thames (Western District) ...	762
Ottawas of Manitoulin Island	80
Upper Moravian Delawares	300
Six Nations of the Grand River	2,210
Mississaugas of the River Credit ...	240
Yellow Heads of Coldwater and the Narrows	426
Indians of Rice Lake, Mud Lake, Alnwick, &c.	508
Mohawks of the Bay of Quinté	336
Total ...	7,490

The visiting Indians, or those who come to receive presents, are computed to be from 3,000 to 4,000 in number; but at the last distribution in 1839, it was intimated to them that such presents would thenceforward be discontinued,

though the recipients were informed, that they, or any of their brethren, who might be desirous to locate themselves upon Manitoulin Island, would not only be allowed to do so, but afforded every facility to enable them to become settlers.

Just before my departure from Toronto, I heard that many Indians, profiting by this invitation, had migrated into Canada from the United States, and one body of them, amounting, if I remember rightly, to about fifty persons, was said to have brought with them, amongst other property, several good horses.

According to further official statements, the following are the annuities payable to Indian tribes in Upper Canada, in return for lands ceded by them to the Crown, or secured for their benefit by deeds of surrender, or provincial agreement:—

Currency.			
Mohawks of the Bay of Quinté ...	£450	0	0
Mississaugas	—	...	642 10 0

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	Currency.		
Mississaugas of the River Credit	522	10	0
Chippewas of the River Thames ...	600	0	0
Chippewas of Chenal, Ecarté, and			
St. Clair	1,100	0	0
Chippewas of Lakes Huron and			
Simcoe	1,200	0	0
Chippewas of the Rice and Mud			
Lakes	740	0	0
Moravian Indians of the River			
Thames	150	0	0
	£5,405 0 0		

The aggregate of land actually ceded by the Indians, amounts, I believe, to about five millions of acres. The Six Nations Indians (constituting the remains of the once powerful tribe of the Iroquois) are shewn by the table to be the preponderating number, and upon the whole, they also, are in far better circumstances than any of the rest.

Nevertheless, a large amount of their property has been injudiciously locked up in the unprofitable stock of the Grand River Navigation Company, by which means they have been deprived, much to their dissatisfaction, of the use both of principal and interest.

A negociation was on foot, some months since, for purchasing this property of them, together with a portion of their land; but I have not heard whether it was brought to a satisfactory conclusion.

The project of forming an exclusive Indian settlement on the Great Manitoulin Island, appears to have originated with the present Lord Seaton about 1835, and to have been warmly patronized by Sir Francis Head, soon after his assumption of the government in the year following.

So far from being, as some have supposed, the assigned future abode of the whole of the Indians in the province, or intended to operate, in any way, the displacement of those tribes

already domiciliated within the surveyed districts, the Manitoulin Islands have been appropriated to the use of those scattered Indians, who possessed neither a fixed place of residence, nor fixed means of subsistence, together with such other Indians from the United States, as might wish to place themselves under British protection; and it is of these two classes that the present population of the Great Manitoulin Island is composed.

According to every account, this island is admirably adapted to the purpose for which it has been selected, being of great extent, having a luxuriant soil, and possessing a very abundant supply of timber of the most valued kinds.

The surrounding waters are said to teem with fish (white fish, as it is termed) of the finest quality; and have long been resorted to at certain seasons, for the supplies they yield, not only by the Indian tribes themselves, but also by settlers from the vicinity of Penetanguishine.

Many of the Indian tribes are great cultivators of the maple sugar, and have frequently a surplus for sale beyond what they require for their own consumption.

On the occasion of the annual distribution of presents to the Indians, at the Great Manitoulin Islands, it is customary for the chiefs or representatives of the different tribes assembled to address the chief superintendent, or presiding officer, in a speech, making known to him their wishes in regard to any particular matters that it may be thought expedient to bring under his notice, and reviewing generally all circumstances of leading interest, having reference to the welfare or condition of the tribes, that have transpired since the period of the superintendent's last visit.

These opportunities for indulging in free discussion, naturally afford facilities for the development of the Indian character, and are said very often to give rise to rich displays of oratory.

The following extracts from the speeches de-

livered by the Indian chiefs last year, as reported by the Indian department, will serve as illustrations of the peculiar eloquence referred to.

The first extract is from the speech of the chief Shinguaconse, and has reference to an implied breach of faith on the part of the government, in regard to the building of some houses for the use of the orator's tribe. It exhibits the happy blending of much shrewdness and address in a very small compass:—

“Father,” says the chief, “I have looked for them (the houses) in vain; but possibly I am old and blind, and cannot see them, though, perhaps, *you* will, when you reach the Sault St^e. Marie.”

The next, from the speech of the chief Bama-koneshkam, is full of pathos:—

“I ask you for the island of Wā-sa-coussing, to assemble upon it my scattered tribe. Our fires are far apart, and burn darksome and low: when we are all together, it (our common fire) will throw out a brilliant light.”

The third, from the speech of the chief Monkomanish, is both complimentary and appealing :

“ You are strong,” he observes, “ your arms encircle the world : take, then, the Indian to your bosom, and strain him in your embrace.”

The fourth, from the speech of the chief Manitōgābaouit, is poetical to the last degree :

“ With this white feather cleanse your ears, that my words may readily reach you ; with this fair water lave your eyes, that you may see him who addresses you.”

The fifth, from the speech of the chief Begishiqueskam, is replete with rich imagination :—

“ The deep darkness of woe which has surrounded us so long, is gradually breaking. The sun, which we thought had set to 'us for ever, I have lately seen striving to ascend in its course : it has reached the tops of the trees : it has increased in brilliancy ; the clouds are gone, and now it breaks upon us in the brightness of noon day.”

The sixth and last, from the speech of the same chief, presents a pleasing allegory :

“A bird whispered to me that he was near the comforter of our misfortunes; that he was near him who would re-establish us in the possession of our lands. Father ! the bird has told true.”

The highly figurative language contained in most of the foregoing speeches is so strongly marked with an Oriental character, as to warrant almost a belief that they emanate from a purely Oriental source ; and induces an involuntary, howsoever futile, train of reasoning regarding the nature of the remote antiquity of the race of men who first trod the soil of the great continent of North America.

I have been induced to place in the Appendix, a curious and interesting document,* as being not

* This document was given to me by a gentleman at Toronto, to whom I gladly avail myself of the present opportunity of publicly returning my acknowledgments. He informed me that he did not think it had ever before

altogether irrelevant to the present subject-matter of consideration.

It is an harangue said to have been delivered to an assemblage of the Indian tribes, by Nay-may-goos (signifying a trout), an Indian patriarch, towards the very early part of the present century.

Nay-may-goos, who was the contemporary of the celebrated Tecumseh, was apparently, as much the recognised prophet of the great body of the Northern, and North-Western Indians, as Tecumseh was, in effect their great warrior-chief; and, like the latter, he seems to have been animated by the noble, but futile desire, of forming a nation out of the scattered remnants of his race, by collecting them into one great family, and restricting their intercourse with the whites.

I am not familiar with the English signification of the names of the chiefs of whose speeches appeared in print; but even otherwise, it must be so little known in England, as to stand in need of no apology for its resuscitation in this Miscellany.

specimens have been here recorded ; but in general the designations of the Indian chiefs are, I believe, identified, in youth, or manhood, with their most prominent qualities, or associated with the particular symbol of their families ; while the Indian children generally are said to blend in their appellations, the name of their mother with that of the animal or object, serving to distinguish their tribe.

It appears to have been a prevailing notion among the Indians of former times, and may possibly be so still among the wilder tribes, that they were indebted to their father for their souls, and to their mother for their bodies.

It having been represented to the authorities, that an Indian idiot had been put to death by the members of his tribe, near French river during the winter of 1838, the representatives of such tribe were called upon for an explanation of the circumstances, at the assemblage on Manitoulin Island, already adverted to, when the following graphic account of the transaction (as

shewn by a report from the Indian Department), was given by the chief Wa-ga-mā-king :

"He came among us," said the narrator, "at the very beginning of last winter, having, in most severe weather, walked for six days, without either kindling a fire or eating any food.

"During the worst part of the winter he was quiet enough ; but as the sugar season approached, he got noisy and restless. He went off to a lodge and there remained ten days, frequently eating a whole deer at two meals. After that, he went to another, when a great change was visible in his person : his form seemed to have increased, and his face was the colour of a negro's. At this lodge, he first exhibited the most decided proofs of madness, and we all considered that he had become a windigo (giant).

"He did not sleep, but kept on walking round the lodge saying, 'I shall have a fine feast soon: there are plenty of bears in this lodge, both young and old.' He then tore open the veins of his wrist, and drank his blood.

"The next night was the same: he went out from the lodge, and without an axe, broke off many saplings about nine inches in circumference; never slept, but walked all night; and in the morning brought in the poles he had broken off, and at two trips, filled a large sugar camp.

"He continued to drink his blood.

"The Indians then all became alarmed, and we all started off to join our friends. The snow was deep and soft, and we sank deeply into it with our snow-shoes; but he, without shoes or stockings, barely left the print of his toes on the surface.

"He was stark naked; always tearing all the clothes given him off, as fast as they were put on.

"He still continued drinking his blood, and refused all food; eating nothing but ice and snow.

"We then formed a council to determine how to act; and as we feared he would eat our children, it was unanimously agreed that he must

die. His most intimate friend undertook to shoot him, not wishing any other hand to do it.

"After his death, we burnt the body, and all was consumed but the chest, which we examined and found to contain an immense lump of ice, which completely filled the cavity.

"The Indian who carried into effect the determination of the council, has given himself up to the father of him who is no more, to hunt for him, plant, and perform all the duties of a son. We, also, have all made the old man presents, and he is now perfectly satisfied.

"This deed was not done under the influence of whisky—there was none there: it was the deliberate act of the tribe in council."

The above incident presents a curious illustration of the doctrines of natural law, as understood by savage nations, and as contrasted with the usages of civilized communities.

Whatever may be thought of the resolution of the Council to deprive the poor Indian of his life, it must be conceded that there is something

extremely touching in the circumstance of the victim's most intimate friend being selected to perform the deed, as though he were acquitting himself of an act of brotherly kindness; but more touching still, is the contemplation of the mode of propitiation (a common Indian custom, I believe,) practised towards the deceased's father, as well by the individual whose hand had deprived him of a son, as by the tribe at large, whose council by their mandate had invested that hand with a sort of legal authority.

But I must quit the Manitoulin Islands; while, indeed any thing that I have said respecting either them or the Indians must prove comparatively uninteresting after the more vivid and elaborate representations contained in Mrs. Jameson's very charming work already alluded to.

Tarrying for a brief interval one day, on board a steam-boat, at the Indian village of St. Regis, I derived, in common with many other persons, very great amusement on witnessing

the amphibious performances of a herd of Indian boys, (some of them, of the tenderest age,) who were frolicing in the water, and apparently quite as much at ease there, as were ever any of its native denizens.

It did not seem to make the slightest difference to them whether they were at the top or at the bottom of the water: all that they needed, being the privilege exercised by the porpoise of coming up occasionally to breathe. Their method of sustaining themselves in the liquid element, was the very acme of natation, and they performed whatsoever evolution they pleased by the mere agency of their hands, which they caused to hang pendant from the wrist, in the same manner that a duck is seen to work its web when swimming.

On the passengers throwing some pieces of coin into the water, these aquatic urchins dived after, speedily discovered (how small soever might be the size) and brought them to the surface. When the opportunity of a second scam-

ble was afforded them, they stowed away their former acquisitions, in their mouths, after the fashion of monkeys, and plunged again to the bottom, where (the water being sufficiently clear) they might be seen engaged in the endeavour to hustle one another from the vicinity of the objects of their common competition.

The following list of Indian names, with their English significations attached, may not be thought uninteresting here. Their interpretation rests, not upon any knowledge of my own, but upon the testimony of an intelligent gentleman connected, I believe, with the Indian Missionary service in Upper Canada, but whose name I have forgotten or would gladly give it.

Gananocque.....Large rocks seen in deep water.

CatarocqueLarge rocks above water.

Chinguachouchy...Young pine trees.

EtobicokeDistrict of alder.

Matchadash.....Bad marshy land.

Shebanticon.....Several channels through a strait.

Shemong	A sort of loon, soot.
Otonabee	Eagle tribe.
Kenebeck	A snake.
Ontario	Beautiful.
Ohio.....	Most beautiful of rivers.
Manitoulin	Islands of evil spirits or devils.
Massagaweya	A river with two outlets.
Eremosa	A dog.
Spadeena	Rising ground, a little hill.
Penetanguishine ...	Look ! it is running sand.
Pottawatomie	We are making fire.
Occmulgee	Boiling or bubbling water.
Niagara	Strait between the lakes, as also the portage and falls.
Fallulah	Awful, terrible.
Alleghany	Clear water.
Canandaigua*	Place of rest.
Schenectady.....	Over the plain.

* The American village of this name, near Geneva, in the State of New York, is a most delightful spot, well assimilating in its characteristics with the poetry of the Indian word, as above rendered.

Connecticut.....Long crooked river.
 Winnipiseogee.....The smile of the great spirit.
 MississippiThe father of waters.
 We-qua-amik-conk The resort of beavers.
 Ma-ni-tow-aun-ing The place of spirits.
 Schqui-ain-dant ...The end of his dwelling.
 Mis-sis-sau-geeng The principal mouth of the
 river, or outlets.

The four last are names of places on the Northern shore of Lake Huron and its vicinity, lying between the Indian village of Cold Water (Kis-se-nau-se-bee) and the Sault St^e. Marie.

To effectually improve the moral and social condition of the Indians in Canada, more especially those dwelling among the white population, it should seem only necessary to carry out a well digested scheme, for reducing the management of their affairs to one general uniform system, and for supplying the means of affording them sound religious instruction, as well as elementary education.

CHAPTER VI.

Canadian press.—Editorial drawbacks.—Want of public Libraries.—Periodical Literature.—Illustration of popular Instruction in the United States.—Conclusion.

It would be irrational to suppose that the condition whether of the public press or of literature in Canada, could be over satisfactory in the midst of the untoward circumstances of the country, such as they have been described.

Nevertheless, the case as regards the first, is better upon the whole than might be anticipated; nor is there wanting a few publications sufficiently well-conducted and impartial to redeem, in some degree, the general character of the local press from the charge frequently brought against it, of having no fixed code of moral excellence or literary merit, and being a mere epitome of un-intellectual matter.

Far be it ^{even} for me to undertake the invidious

task of specifying the various journals which might be considered by an impartial observer to belong to the one category or the other. But, without bestowing either special praise or censure, I may be permitted to remark, that the great and generally admitted defect in a very large proportion of the Canadian press, is the absence of a calm, dispassionate style of writing, as also of a philosophic tone of argument, by means of which the public mind might be steadied, and accustomed to a train of reasoning embracing principles and their application, in lieu of being bewildered, as it too often is, by the profitless consideration of mere abstract tenets, bearing only upon speculative objects, or upon questions devoid alike of permanent interest and importance.

In Canada, as in almost every other country, at the present day, much is in the power of the press; and we may be assured that were one or two publications, answering in character to the above description, promulgated in the Canadian

provinces, they would be productive of the best results, by gradually rescuing the public sentiment from a morbid or an apathetic state, and elevating it to a standard of consistency and healthful vigour.

It is, however, scarcely to be hoped that this great desideratum can be effectually accomplished otherwise than through the medium of an extensive immigration, and of an improved system of popular education: for the required stimulants to exertion being now almost wholly wanting, few will be content to labour, even in the work of social regeneration, without some prospect of personal reward.

At present, editorial labours are very inadequately requited in Canada, and particularly in Upper Canada.

It also mostly happens that the provincial editors are the proprietors of their respective publications; and if we may judge by their repeated advertisements, calling upon their subscribers to pay up arrears, the editorial mind

must be far too often distracted from its legitimate pursuits by anxiety as to the state of the finance department.

I remember on one occasion, during my residence in Montreal, the proprietors of two rival papers which were wont to make their appearance daily, being obliged to come to a mutual understanding to issue their respective publications only on alternate days, because their profits were inadequate to permit the continuance of the original practice.

If the paucity of public libraries in the country may serve as any criterion, the Canadians generally cannot be regarded as a very reading people, while the bulk of such books as are to be met with centres in the Lower Province. At Quebec, there is a moderately good library, besides that (said to be choice and valuable), which appertains to the garrison. At Montreal, also, there is a small public library, to which, as at Quebec, you obtain admission on pay-

ment of an annual fee ; but neither at Kingston nor Toronto, is there any thing in the shape of a public library to be seen. In the latter place, there is a small collection of professional works belonging to the Law Society, and also an inconsiderable library attached to the House of Assembly ; but of course, neither of these can be said to constitute a public library. At Toronto, moreover, there exists but one private book store at which a standard work can be obtained. A few individuals in both provinces, are said to possess well-stored libraries of their own, and to be sedulous in their endeavours to recruit them.

The military sensitively feel, as regards mental occupation, the change from Lower to Upper Canada, and labour under great disadvantages in this respect, when quartered in the towns of the latter province. Attempts have occasionally been made to establish periodical literature in Lower Canada, though they have been attended

with very indifferent success; but, in the Upper Province, no effort of the kind appears to have been at any time displayed.

Though it cannot be a matter of reproach to the Canadians that they have no literature of their own, seeing that whether as regards the present or the future, and under any change of political circumstances, they must mainly depend, like their neighbours the American citizens, upon their common parent, England, for their chief literary aliment, it is nevertheless extraordinary that they should take so little pains to establish public institutions by whose agency the benefits of English literature might be more generally disseminated among them.

To conclude the few remarks that I have hazarded upon the preceding topics, I will just adduce, as not irrelevant to them, the following incident, illustrative of the sense in which popular instruction is practically understood in the United States.

Upon the table of a room, in a little inn, in

a remote part of the State of New York, I once happened to see lying open, an abstruse work on Algebraic Equations, which, from its well-thumbed appearance, must have been much in requisition. My conjectures as to who, in such a place, could be the party accustomed to consult a work of this description were speedily set at rest by the entrance of a rough-looking man of the working class, attired in a rustic garb, who, forthwith seating himself, took up the book in question, and was soon absorbed in its perusal.

It is to be apprehended that the traveller in England, or in any other country but the States, would vainly seek a similar exhibition, though even there, such an instance of rural learning as that recorded, would perhaps be seldom witnessed.

Throughout these pages, it has been my object to show that any abstract measures which may be attempted with a view to the promotion of Canadian, as identified with British interests,

must prove abortive, unless they be based upon the solid foundation of physical strength and moral improvement.

With reference to the first, it needs but little evidence to prove, that according as immigration were encouraged, so would security to Canada increase ; that in proportion as land, capital, and labour were permitted to find their legitimate employment as creative powers, so would the vast resources of the country become tangible, and that in the ratio of their development, so would the general prosperity proceed.

As regards the cause of moral improvement, it is no less evident that, whether considered abstractedly in itself, or as a necessary adjunct, to give permanence to the prosperity just mentioned, it is only to be effectually promoted by the timely reconciliation of religious dissensions, and by making adequate provision for affording to the entire community such religious and secular instruction as shall prove suited both to their present and progressive wants.

How far the proper means to either of the ends in question have been suggested in the present volumes, an enlightened public will be best able to determine, and by the impartial judgment of that public, in relation to the matter, it will be the duty of the Author with all deference to abide.

APPENDIX.

No. I.

Vol. I. page 167.

AFTER DISTRICT GENERAL ORDER issued on the occasion of the Affair at Prescott.

Toronto, November 19th, 1838.

HIS EXCELLENCY MAJOR-GENERAL SIR GEORGE ARTHUR feels the greatest gratification in announcing to the Queen's Regular Troops, and to Her Majesty's Militia of the Province, now so happily engaged hand in hand in the defence of their country, against internal disaffection, and against the most cruel and unjust aggression from abroad, that their united efforts have proved decidedly effectual in overcoming a gang of desperadoes, who lately had the temerity to make a descent, from the United States, on the Canadian shore of the St. Lawrence, between Prescott and Johnstown.

The pirates, on landing took possession of some stone houses, and a stone mill, of extraordinary

strength of masonry, about one and a half mile below the former place ; of these they held possession for some time, closely blockaded by the Loyal Militia, under Colonel Plomer Young, particular service, until reinforced by Colonel the Honourable Henry Dundas, with a Demi Field Battery of the Royal Artillery, and some companies of the 83rd Regiment from Kingston. Against such a force, when supplied with heavy artillery, it was impossible for the enemy long to hold out ; and after the stone houses had been destroyed, a white flag was hoisted at the mill, and its occupiers were permitted to surrender at discretion.

The fruits of these gallant proceedings, consisted of about one hundred and sixty-seven prisoners, exclusively of about sixteen wounded.

It is reported, that not less than fifty-six of the enemy were killed during the operations.

Colonel the Honourable Henry Dundas, Colonel Plomer Young, and Captain Sandom, Royal Navy, commanding the Naval Flotilla, speak in the very highest terms of the gallantry, good conduct, and extraordinary forbearance, of the whole of the Seamen, Marines, the Regular Force, the Militia, and the Volunteers, employed on the occasion.

The British loss consists of Lieutenant Johnston, 83rd Regiment ; Lieutenant Dulmage, of the Grenville Militia, killed ; and Lieutenant Parker, Royal Marines, and Lieutenant Parslow, of the Militia, wounded ; with about forty-five rank and file killed and wounded.

The loss of the Brigands was particularly severe in officers, among whom were the self-styled Generals Brown and Phillips.

His Excellency Major-General Sir George Arthur cannot sufficiently applaud the alacrity and firmness with which Colonel Plomer Young attacked the Brigands, with a very inferior force, on their first appearance on the Canada shore ; and the gallantry with which the detachments of the 83rd Regiment, and Royal Marines, with the Militia under his command, drove them to seek a temporary security in the mill and houses : in which, however, they found it totally impracticable long to maintain themselves against British valour and persevering intrepidity.

The Major-General also offers his warmest thanks to Colonel Dundas, for the able disposition of his force, and his indefatigable exertions ; to Colonel McBean, R. A. ; to Colonel R. Duncan Fraser ; to

Lieutenant-Colonel Gowan; and Captain George Macdonald; and to all the officers of the Militia and Volunteers, whose names he is alone prevented from particularising, by the casual absence of the despatch from Colonel Young, which enumerated them; and His Excellency is confident that the gallant example now shewn, will be followed with equal loyalty and spirit, by all the Militia of the Province, should their services be called for.

To Captain Sandom, commanding the Royal Navy, likewise are His Excellency's thanks most fully due, for his vigilance and able co-operation; and to Lieutenant Fowell, Royal Navy, who so gallantly commanded Her Majesty's steamer *Experiment*, which although so inferior in point of size and power, obliged the enemy's steamer *United States*, to seek refuge in an American port.

His Excellency the Lieutenant Governor, likewise, has much pleasure in congratulating Colonel Carmichael, particular service, and the loyal and gallant Glengarry Militia regiments, under Colonel McDonell, Fraser, Chisholm, and McDonell, whose ready aid in moving into the Lower Province, mainly contributed to the recapture of the *Henry Brougham*, and has earned for them the high

approbation of His Excellency the commander of the forces.

By command. (Signed) C. FOSTER, Colonel,
Assist. Adjt. Genl.

No. II.

Vol. I. page 188.

CIRCULAR.*

Safety Committee Room, 18th August, 1839.

GLORIOUS NEWS FOR THE PATRIOTS.

The Chancellor of the Exchequer recently declared in the House of Commons, in England, that the Canadian Revolution had already cost Great Britain upwards of ten millions of dollars, and remarked that a continuance of the expense of keeping up so large a military establishment in those colonies, could not long be borne.

Daniel O'Connell and Mr. Leader, the great advocates for liberty, ably defended the Lower Cana-

* Comment upon the artful distortions, the calumnies, and the atrocious language contained in this document, is unnecessary.

dians in the British House of Commons, and sustained the revolting party in the course they have taken.

John G. Parker, and seven other leading Upper Canada patriots, who were banished by Governor Arthur, have been liberated in England, and are now on their return home.

Instructions have been given by the ministry in England, for the immediate liberation of all the Patriot prisoners, now in custody of the authorities in the Canadas.

Sir John Colborne has recently been dismissed from the office of Governor-general of the Canadas, and recalled to England in consequence of the severity with which he uniformly treated the French Canadians, engaged in the revolution.

Mr. Charles Buller, secretary to Lord Durham, (while the latter was discharging the duties of Governor-general of the North American colonies) and member of the House of Commons, strongly censured Governor Arthur, for executing those brave patriots, Lount and Matthews, and unhesitatingly told the Prime Minister, that he, Governor Arthur, had made false representations relative to Canadian affairs, and particularly in stating the

number who signed a petition to have the lives of Lount and Matthews spared.

It is ascertained for a certainty, that Governor Arthur's conduct in relation to the cruel treatment of Patriot prisoners and suspected persons, is disapproved of in England, and it is confidently expected that he will soon be dismissed and follow Governor Colborne.

The government of Great Britain have approved of the decision of the Lower Canadian judges, who were suspended from office by Governor Colborne, for interfering with the military law, and are again in office to see that justice is done to the oppressed !!

FELLOW-PATRIOTS :—The Committee of Safety have much pleasure in communicating to the friends of freedom the above facts recently received from unquestionable authority, which cannot fail to dispel the dark cloud which has for months past cast a solemn gloom over the Patriot cause.

It is quite clear that the British government are already tired of the expense of retaining the Canadas at the point of the bayonet, as they have done for the last eighteen months. The enormous amount of doing so, has to be borne by the people in

England, or they at once lose those colonies ; and it is evident that the six millions of dollars yearly required to maintain a standing army for that purpose, has its proper influence with *Queen Victoria's* advisers, who will pause before they increase the excitement in England, already bordering on a state of revolution, by an additional tax, which must be resorted to, as mentioned by the Chancellor, should the Canadas be retained by the Queen.

The Committee are without proof that the British Ministry *secretly* desire to have these colonies *rescued* from under their control, but they are in possession of facts that fully justify a conscientious belief that *is* really the case.

The frankness of the Chancellor of the Exchequer in stating that the Canadas could not long be held by Great Britain, under such heavy yearly expense ; the open manner Messrs. O'Connell and Leader, both in confidence of the Ministry, advocate in the House of Commons the course pursued by the Lower Canadians ; the certain dismissal of Governor Colborne, in consequence of ill-treating the French Canadians, suspected of being concerned in the rebellion ; the strong language made use of in the House of Commons, by Mr. Charles Buller, rela-

tive to Governor Arthur's conduct in executing Lount and Matthews; the daily censure heaped upon the latter functionary by the authorities in England, for the tyranny which has characterized all his past acts, (whenever he had Patriot prisoners in his power); the liberation of that useful and leading Patriot, John G. Parker, and others; the restoring to office of the Lower Canadian judges, dismissed by Governor Colborne, for allowing bail to Patriot prisoners confined under Sir John's martial law; with many other similar facts, all go to strengthen the committee in their well-grounded belief, that whatever those who wield the power in Great Britain may openly say relative to holding the Canadas, they very prudently, and with an eye to their alarming troubles at home, secretly desire to rid themselves of these expensive colonies, the assertion of all the Tory tyrants therein to the contrary notwithstanding.

In pursuing this subject a little further, the Committee beg leave to remark, that it is well known in Great Britain, that full nineteen-twentieths of an IMMENSE Lower Canadian population are hostile to their present government, and in favour of a revolution; and it is equally well known, by the au-

thorities in England, that those Canadians have only been deterred from a general insurrection, and putting down the hired soldiery and loyalists, by a knowledge that should they make another attempt for liberty, and fail to overpower the soldiers and loyalists, for want of arms, Governor Colborne would certainly pursue the same horrid butchery of men, women and children, and the destruction of *whole* villages by fire, that characterized his proceedings in the first and second outbreak. The same, to a certain extent, will equally apply to Governor Arthur's conduct in Upper Canada. If the British ministry were, therefore, really determined to hold those provinces at the point of the bayonet, as they have thus far done, is it reasonable to suppose that they would under any circumstances withdraw the very men from the government of the Canadas, who it is notorious have (by their *cruel* acts, and threatenings to punish more severely in the future,) kept a *great* number of the less informed and timid Patriots in both provinces, from fulfilling the solemn pledges given to the United States Patriots, (who went from their homes to assist in giving them freedom,) in coming to their assistance according to expectation, in the hour of

danger, thereby causing every *defeat* the Patriots have thus far met with.

The embarrassment which the fearless Patriots have had to contend with by such weakness on the part of their timid fellow-citizens in the Canadas, will now be effectually removed by the departure of Governor Colborne from Lower Canada, and the daily expected dismissal of Governor Arthur in the Upper Province, and the difficulty that so many real friends have so long laboured under for want of arms, can be easily overcome by throwing into the hands of those who *will use them* a sufficient quantity to make them useful.

Taking a candid view of the whole of the preceding truths, and without giving them any improper colouring, they certainly do forbode prospects cheering to those who still nobly desire to see the Canadas freed from bondage, and who by now coming forward manfully will accomplish an object worthy and creditable to the name of *freemen*, and feeling assured that the reorganization of a new society under such favourable circumstances, will hasten on a crisis so much desired by thousands, yea millions, and with a view of keeping up a high state of excitement and alarm in the Canadas so es-

essentially necessary for the furtherance of that cause. The Committee have thought it advisable to issue circular letters, setting forth their views upon the important subject, and have dispatched several of their own members to distribute them *confidentially*, in different directions, with further authority to form, while on their present tour, societies on our own, and the Canadian frontier, agreeable to the accompanying instructions, which, if rigidly observed, will effectually baffle the *most sagacious* to ascertain even of the formation of a new secret society, or subsequent movements, in time to prevent successful operations.

As soon as the societies can be properly formed, (which owing to the extent of territory on both frontiers, and the extreme difficulty and caution necessary to be observed in approaching the Canadian shores, and passing through those provinces unsuspected, will take some *considerable* time,) notice will be given relative to future proceedings; in the mean time the Committee do earnestly beg and entreat that no public show will be made, no expressions heard to escape the lips of any person, calculated to excite suspicion among those who do not feel disposed to heartily unite in the glorious cause ;

but let all appear as calm and silent as the grave (except nightly meetings,) till the proper hour shall arrive.

With reference to future movements the Committee will merely now remark, that whatever course they may hereafter decide on pursuing in this matter, it now strikes them very forcibly that as there are many places on the Canadian frontier, where landing can be made without coming in direct contact with a superior British force, and hundreds of other places where little or no force is kept, particularly in the Upper Province, a very successful invasion can be for years carried on, if necessary, by the joint co-operation of the friends in the Canadas, affording as the latter can, at all times, the most correct and useful information.

While there continues so great a military force in the Canadas, and while the authorities there continue in the belief that their government across the Atlantic desire them to defend these provinces, it will not be advisable that any place taken possession of by the Patriots in those colonies, shall for the present be permanently held.

The example which the tyrants of Great Britain first set our forefathers in the revolutionary war of

1776, followed up by Colonel MacNabb and Captain Drew in the Canadian revolution of 1837, can be speedily accomplished on landing, and the places evacuated before any great combination of force can be brought to bear against the Patriots. The insulting manner which the officials, backed up by other loyalists, have, time after time, exposed the lives of hundreds of American citizens, by discharging small arms at our steam-boats and schooners in passing (on their regular and lawful business,) by those hot-beds of Toryism, *Brockville*, *Prescott*, and other places on the Canadian shores, calls loudly for merited chastisement.

We shall no doubt be told, and very likely too by our own government, that we are engaged in a cause calculated to create ill feeling between Great Britain and the United States, that may ultimately bring on a national war between those two powers. Anticipating such an objection by some few citizens against the Patriot cause, the Committee, in reply, do not hesitate to say, that Great Britain with her alarming difficulties at home will not venture a war with the United States government, in consequence of citizens of the latter taking possession of a territory four thousand miles from England, which costs

the latter millions of dollars yearly more than its worth, and which they no doubt *wish* to get rid of; but suppose, on the other hand, that Queen *Victoria* should be advised to declare war against *Uncle Sam*, pray tell us, ye wise men, what she should gain by such a step? The Committee say, *nothing whatever*. What then would she lose?—*All her North American Colonies*. Besides, would not a war firmly unite the Southern and Northern States? Would not the question relative to Maine, and other disputes, be finally settled in less than a month after a declaration of war? Would the Canadians remain a day under Great Britain? Nay;—but why dwell on this subject?—there is no danger, if danger it can be called, of such being the case.

Shall *we* then, the offspring of those brave Patriots, whose blood flowed so copiously in freeing themselves from the same oppressive and galling yoke of tyranny that the Canadians are groaning under, be prevented from following in the footsteps of our illustrious ancestors. Let us, as a people who know the blessings of freedom, shew that the descendants of those who taught Great Britain to be just to the now United States in 1776, will teach Miss Victoria and her government, to be

also just to the Canadas, labouring under similar oppression that we once did: and that should it take years, and millions of dollars, and oceans of blood, those suffering colonies should yet be free, and the guilty officials who have in the least participated in the murdering of American or Canadian citizens, or in the capturing, trial or execution of a Patriot, may yet in *their* turn have to enter upon the scaffold for execution, should justice, in a more summary way, not sooner overtake them.

It will, no doubt, be gratifying to the friends of freedom to know that there is no want of the necessary means to carry on an extensive invasion, should Great Britain drive us to that alternative, as we can now safely depend on considerable assistance from the Canadas. The Committee look forward at no very distant period, to see those Provinces a second Texas, and when that day arrives, be it sooner or later, the names of those registered, as directed by the instructions of this Committee, and continue from under the new society to the end, will be sure of receiving such rewards as their services may justly entitle them.

In taking leave of you, fellow-citizens and Patriots, for a while, the Committee think they

have only to call your thoughts for a moment to past events, to convince you that our future prospects to glorious honours and wealth on the one hand, or the total ruin, defeat, and disgrace on the other, depends upon a well organised society, who to a man must, under the most trying circumstances, make strict secrecy, watchfulness, patience, order, perseverance, brotherly love, a determination to support the by-laws, his constant watchword.

(Signed) J. L. QUINN,
Chairman to the Committee of Safety.

No. III.

Vol. I. page 277.

DECLARATION of the Causes which led to the formation of the Constitutional Association of Quebec, and of the Objects for which it has been formed.

The political evils under which Lower Canada has long laboured, have recently been increased in so alarming a degree, that the subversion of Government itself is to be apprehended, with the consequent

disorders of anarchy, unless the progress of them be arrested, and an effectual remedy applied.

Under the influence of a party in the Assembly of the Province, labouring by every means which they could devise to concentrate political power in their own hands exclusively, national distinctions have been fostered and established, the administration of the local Government has been perseveringly obstructed and impeded, its authority brought into contempt, and public and private security essentially impaired and endangered; whilst the just subordination of the Colony to the Parent State has been openly questioned, and resistance to its authority, if not avowedly inculcated, certainly covertly promoted.

In prosecution of the views of the party to which those evils are mainly ascribable, that portion of the population of the Province which has been by them designated as "of British or Foreign origin" has virtually been, and now is, deprived of the privilege of being heard in the Representative Branch of the Government in support of their interests and views. The portion of the population thus proscribed amounts to about one hundred and fifty thousand souls, or one-fourth of the whole, and comprises

nearly all the merchants, the principal members of the learned professions, a large body of skilful and wealthy artizans and mechanics, and a great number of respectable and industrious agriculturists, possesses extensive real estate, and holds by far the greatest portion of the capital employed in the pursuits of trade and industry; all which interests are liable to be burthened, and in fact have been injuriously affected, in consequence of the proceedings of the said party and of the majority of the same origin by whom they have been supported in the Assembly of the Province.

The class of persons by whom Members of the Assembly are almost exclusively returned,—that is, the inhabitants of French origin, who form the majority, and whose character is in other respects most estimable,—has shewn itself peculiarly liable to be acted upon by ambitious and self-interested individuals, who, by exciting the latent national prejudices of the majority against their fellow-subjects of a different origin, can, as appears from late events, lead them astray by specious though perfectly unfounded representations addressed to their prejudices and passions.

By these means the party in the Assembly al-

ready alluded to, has acquired a dangerous ascendancy over this class of the population, and the result of the late elections evinces that they will use it for the purpose of securing the return of such persons only as will act in subserviency to them. Upon that occasion it is notorious, that no other qualification was asked or required from candidates than an implicit acquiescence in the views and wishes of the party as expressed in the resolutions of the Assembly to be presently adverted to.

While the representation of the Province continues on such a footing with the concentration of power incident to it, experience has shewn that there can be no hope of a fair and impartial administration of the powers of Government, and there is too much reason to apprehend that in a body so constituted, the public and the general interests of the Province, commercial and agricultural, will continue to be overlooked and neglected or subjected to injurious regulations, its improvement obstructed and retarded, and the whole internal Government of the province deprived of the Legislative superintendence and provisions which are necessary for its efficiency, and the promotion of the general welfare.

The political evils arising from the constitution and composition of the Assembly have been greatly increased and aggravated by the Act of the Imperial Parliament placing at the disposal of the Assembly, absolutely and unconditionally as is understood by that body, the important revenue by means of which the civil expenditure of the Province was previously defrayed. By this increase to the power derived from great numerical superiority in the Assembly, have been superadded the irresistible weight and influence necessarily conjoined with the exclusive power of appropriating the revenues absolutely and indispensably requisite for defraying the civil expenditure of the Province, by means of which the Executive Government has been rendered entirely dependent on the will and pleasure of the leaders in the Assembly for its very existence, and public authority, both administrative and judicial, from the Governor in Chief and the Chief Justice of the Province, to the most humble individual in the scale of office, has been subjected to their interested, partial, vindictive, or capricious control.

If any doubt could heretofore have been entertained as to the design and tendency of the proceedings of these men, that doubt must have been

removed by the Resolutions passed in the Assembly on the 21st day of February 1834, containing divers false and scandalous imputations of so general a nature as not to admit of answer or investigation, against the character and conduct of His Majesty's Government in this Province,—against the whole body of its officers, civil and military,—against the judiciary and the second branch of the Provincial Legislature,—against the large portion of the inhabitants of the colony engaged solely in the duties and pursuits of private life, and against the British Government generally as respects this Province since the cession of Canada to His Majesty by the crown of France.

These Resolutions passed by a majority of 56, of whom 51 were members of French origin, against 24, of whom 17 were not of that origin. They formally class and enumerate His Majesty's subjects in this Province as persons of "French origin" and of "British or Foreign origin," the former of whom are erroneously stated as consisting of 525,000 and the latter 75,000 souls.

The address to His Majesty and to the two Houses of Parliament wherein these Resolutions are embodied, and which have been transmitted to

England, claims a revision and modification, by the majority of the people of this Province, of the Constitutional Act; an extension of the elective system contrary to the prerogative of the Crown and the British Constitution, for the purpose of vesting the appointment to offices of honour and profit in the said majority of the people; the election of the second branch of the Legislature, now appointed by the Crown for life, in virtue of the aforesaid Act; threatening at the same time the British Government and Parliament with the example of the late Colonies now the United States of America, and insisting upon being supported in the demands contained in the said Resolutions, that the people of this Province "may not be forced by oppression to regret their dependence on the British empire, and to seek elsewhere a remedy for their afflictions."

In furtherance of the views of the framers of the said Resolutions and Address, the said Resolutions were, shortly after the close of the last session of the Provincial Parliament, printed and distributed in great numbers throughout the Province at their public expense; and certain Committees were therein invited to be formed, to aid in giving effect to the same, under a pledge of the honour of the

Representatives of the people, to reimburse the expenses of the said Committee to them, or to such persons as might advance money to them.

The party already referred to, composed of certain Members of the House of the Assembly, of French origin, has for several years past, as already stated, and as is well known, taken advantage of every opportunity,—both by speeches delivered in the House of Assembly and elsewhere, and through means of newspapers under their control, to excite the ancient national prejudices of the inhabitants who are of French origin, against their fellow-subjects who are not of that origin; and particularly by the aforesaid Resolutions printed and distributed as aforesaid, and by meetings and committees in support thereof, they have in fact so operated upon the prejudices of persons of their origin, as to excite a great number of them to frequent public expressions of hatred, and threatened violence to those not of the same national origin.

In consequence of these machinations and others connected with and resulting from them, it has come to pass, as might have been looked for under such circumstances, that at the late general election, (as the poll books kept of record according to

law will shew) majorities consisting of persons of French origin have chosen nearly the whole of the Members who are to compose the House of Assembly for the ensuing four years, of persons of that origin who have publicly approved of the said Resolutions, or pledged themselves to their support.

As suborbrate to the grievances now stated, but contributing materially to the political evils of the Province, other departments of the Government may be mentioned as to which measures of reform are urgently called for. The system of judicature, as now established, it is universally known, is altogether insufficient and unsuited to the present state and condition of the Province. From the great extension of the Settlements, and the increase of population in different districts, the Courts of Original Jurisdiction have become inaccessible to the inhabitants at a distance from them, otherwise than at a ruinous expense, involving in many cases a denial or failure of justice ; while the Court of Appeals, from its peculiar constitution, is unfit for the exercise of the powers with which it is entrusted. That a system of such vital importance to the public welfare, and yet so injuriously defective and inade-



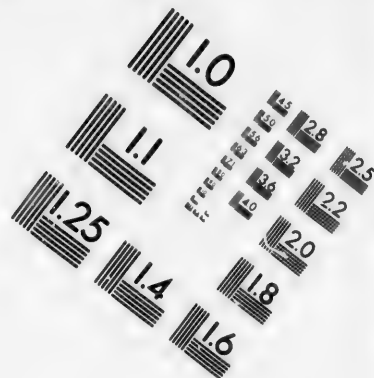
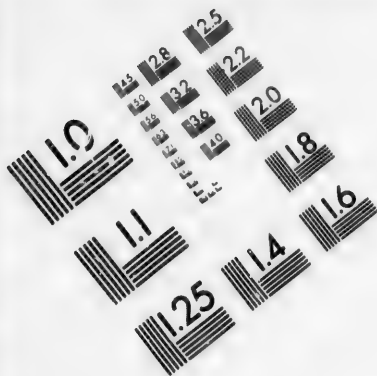
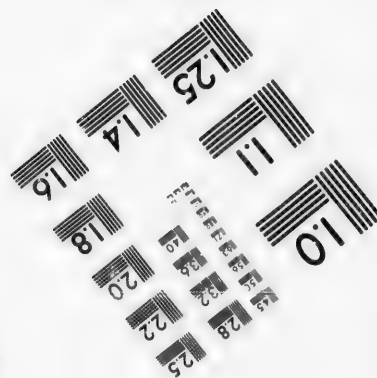
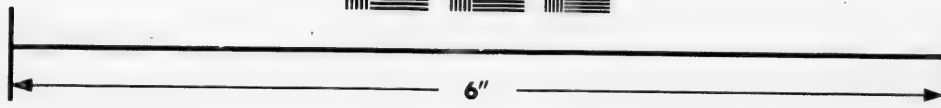
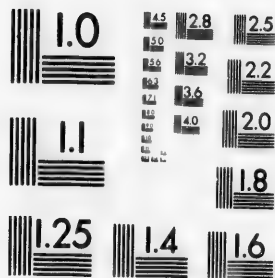


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quate, should have continued without alteration or improvement, is among the striking evidences of the imperfect exercise of powers entrusted to the Provincial Legislature.

In every well regulated Government it is essential that the Executive authority should be aided by the advice of able and well informed individuals, acting together and in a body, by which sound discretion, uniformity, consistency and system are imparted to its measures. Among Colonial Governments, which are generally administered by persons labouring under the disadvantage of a deficiency of local information, assistance of this nature is indispensable for the attainment of the ends of good Government. This body of advisers ought to be found in the Executive Council of the Province; but its Members are too few in number, and its composition too defective to answer the purposes of its institution.

Whilst the greatest importance ought to be attached to the selection of fit persons for seats in the Legislative Council, it is indispensably necessary for the stability of the Government as now constituted, and for the security of His Majesty's subjects within the Province, that the power of

appointing Members of that branch of the Legislature should continue to reside exclusively in the Crown, but subject to such regulations as may be deemed proper for ensuring the appointment of fully qualified persons.

Under the foregoing view of the political state of the Province, the object of the Constitutional Association of Quebec will be, by Constitutional means —1st. To obtain for persons of British and Irish origin, and others His Majesty's subjects labouring under the same privation of common rights, a fair and reasonable proportion of the representation in the Provincial Assembly. 2nd. To obtain such reform in the system of judicature and the administration of justice as may adapt them to the present state of the Province. 3rd. To obtain such a composition of the Executive Council as may impart to it the efficiency and weight which it ought to possess. 4th. To resist any appointment of Members of the Legislative Council otherwise than by the Crown, but subject to such regulations as may ensure the appointment of fit persons. 5th. To use every effort to maintain the connexion of this Colony with the Parent State, and a just subordination to its authority. 6th. To assist in preserving and

maintaining peace and good order throughout the Province, and ensuring the equal rights of His Majesty's subjects of all classes.

NOW WE, whose names are undersigned, taking the premises into our serious consideration, do hereby form ourselves into a Constitutional Association for the purposes stated in the foregoing Declaration, and for mutual support in the discharge of the duties of our allegiance to His Majesty, as lawful Sovereign of the United Kingdom of Great Britain and Ireland, and of this Province, dependant on and belonging to the said kingdom—

Declaring that we wish for no preferences or advantages over our fellow-subjects of whatever national origin, nor any infringement of the rights, laws, institutions, privileges and immunities, civil or religious, in which those of French origin may be peculiarly interested, and to which they are entitled, or which they enjoy under the British Government, and the established Constitution; desiring merely for ourselves the enjoyment of equal rights with our fellow-subjects, and that permanent peace, security and freedom of our persons, opinions, property and industry which are the common rights of British subjects.

And in furtherance of the purposes aforesaid, to the utmost of our power, we hereby pledge ourselves to each other and to our fellow-subjects throughout the empire.

QUEBEC, DECEMBER 1834.

No. IV.

Vol. I. page 277.

TO MEN OF BRITISH OR IRISH DESCENT.

FELLOW-COUNTRYMEN,

Engaged in a contest, the result of which must be felt throughout the Provinces of British America, we, your calumniated and oppressed brethren of Montreal, solicit your attention to a brief and temperate exposition of our principles and grievances.

Connected with you by identity of origin, by community of feeling, by national recollections, and by one common interest in this the hour of danger we look to you for support.

The population of Lower Canada, heterogeneous in its character, comprehends two distinct classes, a majority of French and a minority of British descent, governed by feelings and attachments

widely different from each other ; the causes which have produced that division may not be generally known.

The want of education among the French majority, and the inconsequent inability to form a correct judgment of the acts of their political leaders, have engendered most of our grievances. The extent of that ignorance may be collected from the facts, that within the last two years, in each of two grand juries of the Court of King's Bench for the district of Montreal, selected under a provincial law, from among the wealthiest inhabitants of the rural parishes, there was found but one person competent to write his name ; and that trustees of schools are specially permitted, by statute, to affix their crosses to their school reports.

The political information of that part of the Canadian population engaged in agricultural pursuits is therefore derived exclusively from the few educated individuals scattered among them, who speak the same language, and who possess the means of directing public opinion, exempted from those salutary checks which education alone can bestow.

The persons who wield this mighty power are,

generally speaking, Seigneurs, Lawyers, and Notaries of French extraction, all of whom, as will be shewn hereafter, have a direct and selfish interest in maintaining a system of Feudal Law, injurious to the country and bearing with peculiar severity on British interests.

Our endeavours to procure relief have been represented, as a covert attack upon the customs and institutions of the Province; national prejudices have been called into action, national feelings excited, and a French majority, ignorant of the nature of the contest, is now arrayed against a British minority.

Passing by the petty vexations of the feudal tenure, such as the Seigneurs' right to call for the title deeds of every vassal; his exclusive right of grinding the grain of his Seigneurie; his right to assume any property within the limits of his Seigneurie on reimbursing to the purchaser the cost of his acquisition; and other claims of a servile and arbitrary character incident to feudal law, we proceed to the subject of the more grievous burdens by which we are oppressed.

Throughout the Seigneuries of Lower Canada, within the limits of which are comprised the cities

of Montreal and Quebec, upon the sale of real property the feudal lord exacts from the purchaser a fine equal to one-twelfth part of the price; a claim which recurs with each successive sale; thus every person who clears, or otherwise improves a farm, erects a building, either in town or country, or invests capital in landed estate, bestows one-twelfth of his outlay on the Seigneur, whenever the property is brought to sale.

This odious law, so injurious in its effects, readily explains why this fine Province, although richly endowed by nature, is so far surpassed in the career of improvement by neighbouring provinces and states.

From the want of a Bill for the registration of real property, the validity of a title cannot be ascertained except by a course of expensive proceedings through the Courts of Law, but secret incumbrances may still exist, unaffected by that procedure, for whose discovery no means are afforded; hence the difficulty of borrowing money on mortgage, and the frequent seizure and forced sale of real estate.

The profits which accrue to the Seigneur from this state of things are obvious; and the interest of

the French Lawyer and Notary, in maintaining a system of law that fosters litigation, and produces corresponding expense, is equally intelligible.

Such are the considerations which govern a party exercising paramount influence in the House of Assembly ; and thus it is that British liberality which conferred upon the French population the elements of free government, has been perverted by designing and interested individuals to the means of retaining laws adverse to national prosperity and to the spirit of free institutions.

The repugnance of Britons to a slavish and antiquated system of feudal jurisprudence has drawn upon them the undisguised hostility of the French party ; an hostility which has been manifested by attempts even of a legislative character to check emigration from the British Isles, and to prevent a permanent settlement in the Province of that class of His Majesty's subjects, whom they have invidiously described as "of British or Foreign origin."

The most prominent of those enactments, and the most unjust, is their imposition of a tax on British emigrants, and British emigrants only, in violation of the most sacred rights we inherit from

our fathers, and contrary to the best interests of the Province.

In the formation of counties for the election of representatives, the townships, which are held by the tenure of free and common soccage, and are therefore the natural resort of British settlers, have been divided into counties, according to the actual population, without making any provision for its future growth, although the territory thus parcelled out is of much larger extent than the French seigneuries ; so that were the respective sections of the province peopled in proportion to their productive powers, a majority of British constituents would return a minority of representatives.

They have excluded co-tenants and co-proprietors from the elective franchise, as being generally Britons, whilst to co-heirs, as being chiefly French, the right of voting has been carefully secured.

The qualification of magistrates, of militia officers, and of jurors, is made to depend upon real estate ; the possession of which, in properties of limited value, is generally confined to Canadians, whilst Britons, whose capitals are more commonly embarked in commercial and manufacturing pursuits, are virtually debarred from those offices and public

trusts; thus confiding our liberties to the discretion of a body of men, the greater number of whom are devoid of education, and have been taught to regard Britons as their natural enemies.

Their abuse of power and contempt of enlightened public opinion, (confident in the support of an unlettered French majority), are exemplified by their proceedings in the House of Assembly. We have seen Mr. Christie expelled from successive parliaments, despite the remonstrances of the disfranchised electors of Gaspé, and contrary to every principle of a representative government—Mr. Mondelet expelled by a forced construction of an illegal resolution—a construction, from which the framer of the resolution declared his dissent; and contrary to the precedent in the case of Mr. Panet, who, under like circumstances, was permitted to retain his seat—the West Ward of Montreal, containing a majority of independent British electors, disfranchised for two years—a pretended inquiry into the melancholy riot of the 21st of May 1832, where individuals were pronounced guilty before the examination of a single witness; and where, in violation of a solemn pledge, and of common justice, the evidence for the prosecution was sent forth to the world

without any evidence having been received in defence—public monies misapplied under resolutions of the Assembly, without the assent of the co-ordinate branches of the Legislature—the contingent expenses of the Assembly charged with a salary to Mr. Viger, originally of £1,000, but gradually increased to £1,700 per annum ; a sum, so disproportionate to the services rendered, as to justify the conclusion, that the vote itself was a convenient pretext for the secret misapplication of provincial funds ; and their daring contempt of all public and constitutional principles during the last session, and on the eve of a dissolution, in attempting to commit a new Parliament to the reimbursement of the expenses attendant upon the convening of public meetings throughout the Province, avowedly for the purpose of influencing the general election.

The laws governing commercial transactions introduced from France, remain as they were at the conquest. Applications to the Assembly for a bankrupt law, and other modifications of the existing jurisprudence, suited to the altered circumstances of the country, have been uniformly neglected, and we continue subjected to the uncertain and ill defined provisions of a body of laws long since repu-

diated in France, whence it was originally derived.

The provincial Banks, called into existence by acts of the provincial legislature, and by the terms of their charters, compelled annually to exhibit statements of their affairs, have been openly denounced by Mr. Papineau, late Speaker of the Assembly, and organ of the French party, from no other possible motive than a desire to inflict injury upon commerce, and consequently on Britons, by whom the commerce of the country is chiefly conducted.

The same individual has publicly recommended to the French party to abstain from all intercourse with Britons; an advice which has been acted upon to a considerable extent.

Not satisfied with the powers with which they are constitutionally invested, the French party in the Assembly have been incessantly occupied in attempting to arrogate to themselves a supremacy in the concerns of the Province.

Their refusal to pass laws, except of temporary duration, has involved in uncertainty important interests which would require to be regulated by permanent enactments.

Their claim to pass in review the salaries of all public officers by an annual civil list, voted by items, would, if acceded to, lead to a disorganization of government, and ultimately render the judges, and other public functionaries, the instruments of their political animosities.

The Legislative Council, a body appointed by the Crown, and where alone British interests are fairly presented, they are endeavouring to replace by an elective Council, which, returned by the same constituency, must, from necessity, be in all respects a counterpart of the Assembly; a measure which would remove the barriers that defend us against French tyranny, and give to a majority, hostile to British interests, a power that would be employed to sever the connexion between Canada and the empire.

Our opposition to this extension of the elective principle, dictated by self-preservation, has been falsely represented as an opposition to liberal institutions. Accustomed to see in the neighbouring states the mild tolerance of equal laws, and a constitution in its essential features approximating to our own, we are not of those who startle with

alarm at the name of a republic, or view their institutions with jealousy or distrust. With sentiments of generous pride, we recognize the lineaments of kindred blood and national character. Sensible of the benefits derived from our connection with the Parent State, and ardently attached to the land of our fathers, we view with grief and indignation, proceedings, which, if not successfully resisted, will leave us no choice between a change which we deprecate, and a submission to French oppression.

It were an insult to the understanding to dwell upon public opinion, as expressed by a population, destitute of the advantages of education, as the mass of the French population in this province has been shewn to be, and we regard, with blended feelings of indignation and contempt, the affectation by the leaders of the French party, of the character of liberals and reformers, whilst they have sedulously fostered a system of feudal exactions and feudal servitude, which invest a privileged class with more arbitrary rights than the nobility of England, without the plea of hereditary claims to legislative honours.

Numbering in our ranks many who, both in Bri-

tain and Ireland, were foremost in the cause of Reform; independent in our principles; unconnected with office; of all classes and of all creeds; bound together by the endearing recollection of a common origin, and the powerful sentiment of a common danger, we are prepared to resist to the uttermost the efforts of a party, which, under the specious guise of popular institutions, would sever wisdom from power, and respect from intelligence, and consign us to unendurable bondage.

Cherishing sentiments of becoming respect for his Majesty's government, and correctly appreciating its many efforts to advance our prosperity, the task we have undertaken to perform requires, nevertheless, that we should explicitly declare our opinion, that the evils which oppress us have been aggravated by the various and temporizing policy of successive administrations.

The destinies of this important province have been confided to colonial secretaries, ignorant of the state of parties in the colony. Entering upon office without a competent knowledge of our affairs; relying for information upon a House of Assembly, constituted as that body has been shewn to be; alternately making unwise concessions or attempting

to enforce unwise principles, and not unfrequently retiring from office at a time when experience would have enabled them to act with becoming judgment and decision, the tendency of their measures has been to compromise the dignity of the Home government, and to confer a sanction upon the pretensions by which our interests are assailed.

We are not insensible to the just grounds of complaint arising from the inefficiency of the Executive Council, and the feeble claims which that body possesses to the confidence of the community.

We cannot recognize just principles of government in calling to a seat in one of the Councils, a clerk, or subordinate officer of the other; and although the Legislative Council, as at present constituted, commands our respect as possessing a majority of independent members, we consider that it yet contains too many persons holding dependent situations under the crown, and liable to be acted upon by undue influence.

The accumulation of offices in the family and connections of a leading member of the Legislative Council, deserves to be held up to public reprehension.

The irresponsible manner in which the land-

granting department is conducted, the salary disproportioned to the duties performed, which is attached to the office, and other abuses connected with the Woods and Forests, demand revision.

To the redress of these abuses, and to all other reforms, based upon just principles, we offer the most strenuous support, and we deliberately, and with confidence submit this exposition of our principles and grievances, in order that our fellow-countrymen may be enabled to judge of the sincerity of the respective parties in the province, by contrasting professions with facts.

The subject of this address cannot fail to suggest important reflections connected with the social and political relations of the country. Of what the future will disclose, we can offer no conjecture. Recent events have roused us to a sense of impending danger, and the British and Irish population of Lower Canada are now united for self-preservation, animated by a determination to resist measures, which, if successful, must end in their destruction. Shall we, in this, the country of our adoption, be permitted to find a home? or shall we be driven from it as fugitives?

Strong in the sympathies of our fellow-country-

men, in the sister provinces, injury cannot be inflicted upon us, without affecting them; and the French party may yet be taught, that the majority upon which they count for success, will, in the hour of trial, prove a weak defence against the awakened energies of an insulted and oppressed people.

By order of the Committee appointed at a public meeting of the inhabitants of Montreal, held on the 20th November 1834.

(Signed,) JOHN MOLSON, Jun., *President.*

(Signed,) JAMES QUINLAN, *Secretary.*

Montreal, December 1834.

No. V.

Vol. II. Page 148.

REPORT of the Committee on Finance of the House
of Assembly of Upper Canada. 4th Session,
13th Parliament.

TO THE HONOURABLE THE HOUSE OF ASSEMBLY.

The Committee, to whom were referred the Public
Accounts, &c. having examined the same—

Report as follows :

That the amount of the debt of the province, consisting
of debentures, outstanding and not redeemed, is—

£1,162,187 15 6

Amount granted for the several public

works, but not yet negotiated .. £723,385 9 2

The annual revenue is estimated at.. £ 78,550 0 0

And the assets and balances due the
province on the 1st January last,

amounted to £137,787 0 0

By reference to the general estimate
for 1838, it will be seen, the amount
required to make up the deficiency

was £ 6,977 2 8½

The amount required for the same pur-
pose the present year, is

£ 90,170 0 0

The excess expended during the year

1838, over the estimate, was..... £ 12,922 13 8

The estimate for the civil expenditure

for 1838, was £ 15,580 15 3

The like estimate for 1839, is 29,580 2 8

Making a difference of £ 13,999 7 7

The estimated annual amount of the ordinary receipts of the province, and the expenditure necessary for the maintenance of the civil government, for the year 1839, are computed as follows:—

Amount of annual civil expenditure, is	£ 70,452	2	8
Interest on amount of public debt, is			
estimated at.....	65,000	0	0

Total....	£135,452	2	8
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Amount of annual revenue, (as estimated), is.....	78,550	0	0
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Making a deficit of.....	£ 56,902	2	8
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There is also required for the continuance of various public works, during the present year	197,416	0	0
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And to be paid <i>Messrs. Glynn, Hallifax, & Co.</i> and <i>Messrs. Baring, Brothers, & Co.</i> on account of payment of interest on debentures issued in London, and due, the sum of	29,000	0	0
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To be provided for.....	£282,318	11	7
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Your Committee beg to refer, for general information, to the recommendations contained in the report of the Committee of last year, where the state of our finances was fully entered into, and from

whom addresses to her Majesty emanated on the following subjects, *viz.*:—

1st.—To obtain our due proportion of duties formerly raised at Quebec.

2d.—For the control of the post-office revenue.

3d.—For the investment of funds arising from sale of clergy and Indian lands, in the debentures of this province.

4th.—For the control of the casual and territorial revenue.

5th.—For transferring to us the power of regulating the duties on the inland trade.

6th.—For levying an additional duty of $2\frac{1}{2}$ per cent. on imports at Quebec; and—

7th.—For a loan of £1,000,000 sterling.

The replies to those various addresses have been unsatisfactory. Your Committee recommend their renewal, with the hope the relief prayed for may be obtained, on those various subjects being fully explained by the commissioners, in the event of their being appointed by your honourable house.

They have also taken into their most serious consideration, the situation in which this province is placed, by the discontinuance of all public works, by which not only much valuable time is lost, but

an expenditure is continued, far greater than the difference of the interest of the money, or any loss the country can sustain in the depreciation in the value of the currency. They therefore recommend, as a temporary measure, the issuing of bills of credit, to the amount of £250,000, and have prepared a bill for that purpose.

Bills for the sale of the bank stock owned by the province, and for amending the act imposing tonnage dues on British vessels, are herewith submitted for the adoption of your honourable house.

With respect to the following charges in the estimate account for the support of the civil government, *viz.* :—

For trial, &c. of state prisoners, being an amount advanced from the crown revenue for such service during the year 1838.....	£ 4,512	4	9
Estimated amount yet due for same service, for 1838	£ 5,000	0	0
Estimate for same service, for 1839 ..	£ 3,000	0	0
Amount advanced from crown revenue for secret service money, for 1838..	1,493	8	11

The finances of the province are not in a situation to sustain those charges, all of which have grown out of the late insurrection.

The charge for secret services should not be paid out of provincial revenue.

Many of the items which compose the other charges, as far as they have been examined by the Committee, appear extravagant, and the expenditure generally unsatisfactory.

Your Committee call the attention of your honourable house to the increased expenditure of our courts for the last three years, with the hope that some remedy will be provided to ensure greater economy in future.

Your Committee again refer to the report of last year, in which the Inspector-General is requested to draw up a full report on the state of every branch of our finances at the opening of each session.

They further particularly recommend a separate account to be opened with each public work by the Inspector-General, to notify the directors, commissioners, or persons in charge of any work on which public money has been expended, and from which the interest of such expenditure is to be paid, to make a return of the same on the 1st of January in each year, or report them as so neglecting or refusing to furnish such return, with a view to have them dismissed;—this your Committee recommend as ab-

olutely necessary to secure the interest on the various outlays thus made.

All which is respectfully submitted.

(Signed) WM. HAMILTON MERRITT,
Chairman.

Committee Room, House of Assembly,
5th day of April 1839.

No. VI.

Vol. II. page 231.

COPY of a Speech delivered by Na-may-goos, (signifying a trout,) an Indian Chief, at the entrance of Lake Michigan, as coming from the firstman God created, addressed to the different tribes of Indians, 4th May 1807.

Na-may-goos, holding in his hand eight strings of wampum, four white and four blue, said :—

“ Brothers, these strings of wampum come from the Great Spirit ; do not, therefore, despise them, for he knows every thing : they are to go round the earth till they are lost ; they were sent to you by the first man he created, with these words :—

“ ‘ Children, I was asleep, when the Great Spirit,

addressing himself to another spirit, said—I have closed my book of accounts with man, and am going to destroy the earth ; but, first, I will awaken from the sleep of the dead the first man I created ; he is wise, and let us hear if he has aught to say.— He then awoke and told me what he was about to do. I looked round the world, and saw my red children had greatly degenerated—that they had become scattered and miserable. When I saw this, I was grieved on their account, and asked leave of the Great Spirit to come and see if I could reclaim them. I requested the Great Spirit to grant this, in case they should listen to my voice, that the world might yet subsist for the period of three full lives ; and my request was granted. Now, therefore, my children, listen to my voice ; it is that of the Great Spirit : if you hearken to my counsel, and follow my instructions for a few years, there will then be two days of darkness, during which I shall travel unseen through the land, and cause the animals, such as they were formerly when I created them, to come forth out of the earth. The Great Spirit bids me address you in his own words, which are these :—

“ ‘ My children, you are to have very little

intercourse with the whites; they are not your father, as you call them, but your brethren. I am your father; when you call me so, you do well. I am the father of the English, of the French, of the Spaniards, and of the Indians. I created the first man, who was the common father of all these people, as well as yourselves; and it is through him, whom I have awakened from his long sleep, that I now address you: but the Americans I did not make; they are not my children, but the children of the devil. They grew from the scum of the great water, when it was troubled by the evil spirit, and the froth was driven into the woods by a strong east wind. They are very numerous, but I hate them: they are unjust; they have taken away your lands, which were not made for them. My children, the whites I placed on the other side of the big lake, that they might be a separate people; yet they have come on your side of the lake, and have taken most of your country: but they shall see a day of sorrow—they shall suffer, and they shall weep. To them I gave different manners, customs, animals, vegetables, &c.: to them I have given cattle, sheep, swine, and poultry, for themselves only: you are not to keep any of these

animals, nor to eat of their meat. To you I have given the deer, the buffalo, the bear, the moose, the elk, the beaver, and the otter. The fish that swim in your great rivers, and the corn that grows in your fertile fields, all of these I have given you for your own use; and you are not to give your meat or your corn to the whites to eat. My children, you may salute the whites when you meet them, but shake not hands. You must not get drunk, it offends the Great Spirit. Your old men and chiefs may drink a little pure fiery drink, such as comes from Montreal; but drink not any whisky; it is the strong water and drink of the evil spirit; it was not made by me, but by the Americans; it is poison; it makes you sick; it burns your bowels: neither are you, on any account, to eat bread; no, not even were it to save you from the grasp of death; it is the food of the whites only.

“ ‘ My children, you must plant maize for yourselves, for your aged parents, for your wives and your children; and when you do it, you must help each other: but plant no more than is necessary for your own use; you must not sell it to the whites, it was not made for them. I made all the innumerable trees of the forest for your use; but the

maple I love best, because it yields sugar to sweeten your drink. You must make it only for that, and sell none to the whites. They have another sugar made expressly for them. Besides by making too much, you spoil the trees, and give them pain by cutting and hacking them, for they have a feeling like yourselves: if you make more than is necessary for your family, you shall die, and the maple shall cease to yield sugar. If a white man is starving, you may sell him a little corn or a little sugar, but it must be by measure and weight.

“My children, you are indebted to the white traders; but pay them no more than half their credits, because they have cheated you. You must pay them in skins, gums, canoes, &c.; but not in meat, corn or sugar. You must not dress like the whites, nor wear hats like them; but pluck out the hair of your head, as in the ancient time of your forefathers, and wear the feather of the Great Eagle. When the weather is not severe, you must go naked, except the *osyan* (cloth of decency); and when the rivers are frozen, clothe yourselves in skins or leather of your own dressing. My children, you complain that the animals of the forest are become scarce and

scattered. How should it be otherwise? You destroy them yourselves for the skins only, and leave their bodies to the worms, or give the best pieces to the whites. I am displeased when I see this, and take them back to the earth, that they may not come to you again. You must not kill more animals than are necessary to feed and clothe you; and only keep one dog, because by keeping too many, you starve them. My children, your women must not live with the traders or other white men, unless they are married according to the custom of your nation; but even this, I do not like; because my white and red children were thus marked with different colours, that they might be a separate people.

“My children, you must not beat your wives with your hands, nor kick them with your feet; if they do wrong, you must have pity on them, and only strike them with a small switch. It is unmanly to do otherwise: if you beat them, that part of you which touches them will be wanting to you when you go to the country of great spirits.

“My children, your wise men have bad medicines in their bags. When the medicine is in blossom,

collect it fresh and pure. You must make no feasts to the evil spirit of the earth, but only to the good spirit of the air.

“ ‘You are no more to dance the *Wawbeno* nor the *Poigon Nemch* (the meaning of these two words is unknown to the author). I did not put you on the earth to dance those dances: but you are to dance naked with your bodies painted, and with the *poko mawgon* (tomahawk) in your hands. You must all have this weapon, and never leave it behind you. When you dance thus, I shall always look with pleasure. You are to make yourselves *possaquances* (sort of rackets), which you must always carry with you, and amuse yourselves with that game. I made you to amuse yourselves, and am delighted to see you happy. You are never to go to war against each other, but to cultivate peace between your different tribes, that you may become one great, independent people.

“ ‘My children, no Indian must ever sell *scata waw baw* (fire drink, or water) to Indians. It makes him rich, and riches make him unhappy. When he dies, he becomes wretched. You bury him with all his wealth and ornaments about him: as he goes along the great path of the dead, they fall

from him: he stops to take them up, and then crumbles into dust himself. But those who by their labour furnish themselves with necessaries only, when they die, they are happy, and when they arrive at the land of the dead will find their wigwams furnished with every thing they had on earth.'

" ' Now, my children," said the first created man, " listen to what I am about to add." The Great Spirit then opened a door and shewed me a bear and a deer, both very small and lean, and said, " look here, my son, these are animals that are now in the earth ; my red children have spoiled them by killing them too young, and by giving their meat to the whites, and also for greasing themselves with their fat, which is wrong. The women, when they grease their bodies or their hair, should do it only with the fat of the smaller animals, such as racoons, otters, foxes, martens, squirrels, snakes, &c.

" ' The Great Spirit then opened another door, and shewed me a bear and a deer, extremely fat, and of an extraordinary size, saying, " look here, my son, these are the animals I placed on the earth, when I created you."

" Now, my children, listen to what I say, and let

it sink deep in your ears: they are the orders of the Great Spirit. My children, you must not speak of this talk to the whites; it must be holden from them at the bottom of your hearts. I am now on the earth, sent by the Great Spirit to instruct you: each village must send me two or more principal chiefs to represent you, that you may be taught.

“The bearer of this talk, will point out to you the path to my wigwam. I could not come myself to Arbre Croche, because the world is changed from what it was: it is broken and leans down; and as it declines, the Chippewas and all beyond will fall off and die. Therefore, you must come to me and be instructed, in order to prevent it. Those villages which do not listen to this talk and send me the chiefs shall die, and be hurled forthwith to the regions of the evil spirit.”

THE END.